

PLANNING BOARD
CITY OF WHITE PLAINS, NEW YORK

FINDINGS STATEMENT

**ISSUED UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT,
ENVIRONMENTAL CONSERVATION LAW SECTION 8-101. ET SEQ. (SEQR),
REGARDING THE APPLICATION SUBMITTED ON BEHALF OF THE GERMAN SCHOOL
OF NEW YORK AT 50 PARTRIDGE ROAD, (THE “APPLICANT”) IN RELATION TO AN
AMENDMENT TO THE CURRENT SPECIAL PERMIT FOR A PRIVATE ELEMENTARY
AND SECONDARY SCHOOL AT 50 PARTRIDGE ROAD, APPROVAL OF A 5-LOT
SUBDIVISION FOR THE PROPERTY LOCATED AT 800 NORTH STREET,
AND RELATED SITE PLAN APPROVALS
(PLANNING BOARD NO. 101-10 AND NO. 226-10)**

INTRODUCTION

Pursuant to Article 8 of the New York Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”) and its implementing regulations at 6 NYCRR Part 617, the Planning Board of the City of White Plains (the “Planning Board”), as Lead Agency, makes the Findings described herein (“Findings Statement”), regarding the application submitted on behalf of the German School of New York (“GSNY”), located at 50 Partridge Road, (the “Applicant”) in relation to an amendment to its existing Special Permit for a Private Elementary and Secondary School, to incrementally increase the School’s maximum enrollment cap from 375 to 500 students over a five year period at the rate of 25 additional students per year and reestablish an accessory nursery school within the 125 student increase in the student cap (Planning Board No. 226-10); and approval of a 5-lot subdivision for the property located at 800 North Street and related site plan approvals (Planning Board No. 101-10).

As described in this Findings Statement, the Planning Board has thoroughly reviewed the initial application (“Initial Project”), the Draft Environmental Impact Statement (“DEIS”) dated May 15, 2012; the public hearing record from the DEIS public hearings held on June 19, 2012, June 26, 2012 and July 19, 2012, written comments, the Final Environmental Impact Statement, which was accepted by the Lead Agency on March 19, 2013 (“FEIS”), which described modifications to the Initial Project (“Modified Project”), the additional conditions to mitigate potential adverse impacts and this Findings Statement prepared in connection therewith (together, the “Environmental Record”) which, when considered together, serve as a basis for the SEQR findings.

The proposed development reviewed in this Findings Statement is composed of the Modified Project described in the FEIS, together with additional conditions stated in this Findings Statement and hereinafter referred to as the “Proposed Action” (together, hereafter referred to as the “Proposed Action”).

This Findings Statement includes the following Parts:

Part I contains a description of the Proposed Action.

Part II provides a summary and background of the review procedures and process.

Part III contains a statement of the environmental conditions, expected impacts, and findings.

Part IV contains the Certification of Findings required by SEQR regulations.

PART I: PROPOSED PROJECT AND PROPOSED ACTION DESCRIPTION

NAME OF ACTION:

German School of New York

LOCATION:

The project site is located near the intersection of North Street (State Route 127) and Ridgeway in White Plains, Westchester County, and includes the following adjacent land parcels:

Parcel A: 800 North Street, Section 131.15, Block 1, Lot 18.

Parcel B: 50 Partridge Road, Section 131.15, Block 11, Lot 10.

Parcel C: 7 Roger Place, Section 131.15, Block 11, Lot 22. Note: As discussed below, the Applicant has withdrawn its request for approval of a lot line adjustment that involves 7 Roger Place.

LEAD AGENCY:

White Plains Planning Board
Planning Department
70 Church Street
White Plains, New York 10601

DATE FINAL EIS FILED:

FEIS with amendments accepted March 19, 2013. FEIS as amended dated March 28, 2013 filed and distributed on April 10, 2013.

SEQR CLASSIFICATION:

The Proposed Action represents an Unlisted Action that will be subject to review procedures pursuant to New York State Environmental Quality Review regulations ("SEQR").

DESCRIPTION OF THE PROJECT SITE:

In 1986, the German School of New York was granted a Special Permit from the White Plains Board of Appeals to operate a Private Elementary and Secondary School at 50 Partridge Road. In 1988, the Board of Appeals granted an amendment to the special permit to permit the expansion of the facilities for classroom additions and an expanded parking area subject to the condition that enrollment at the school not exceed 375 students.

The GSNY Property at 50 Partridge Road is currently improved with an existing school building housing classrooms, gymnasium, cafeteria, and administrative offices and associated parking, driveway areas, playing fields, running track and a basketball court. All vehicular access to the project site is from Partridge Road, off of Ridgeway.

The GSNY also owns the adjacent properties at 800 North Street (SBL: 131.15-11-18), which is a vacant lot, and 7 Roger Place (SBL: 131.15-11-22), which is improved with a single family house.

DESCRIPTION OF THE INITIAL PROJECT:

The German School proposes to amend its existing special permit to incrementally increase the School's enrollment cap from 375 students to 500 students over a five-year period at the rate of 25 additional students per year and to reestablish an accessory nursery school within the proposed 500 student cap. To assist mitigating existing traffic and any potential additional traffic as a result of the proposed enrollment increases, a related action involves a 5-lot subdivision of property at 800 North Street, which is another property owned by the German School.

The German School proposes to subdivide the adjacent property at 800 North Street into a total of five (5) lots consisting of four (4) single-family residential lots to be served by a proposed private cul-de-sac roadway ± 300 feet in length, and one larger lot with a proposed 62-space school parking area at the end of the cul-de-sac to be merged with the ± 15.80 acre German School property and used as a gated entryway and parking lot/ drop-off/pick-up area for the School. The four residential lots would be owned by the German School and used by the School as housing for families of students and/or staff.

In the Initial Project, the proposed gated school parking lot and drop-off/pick-up area at the end of the proposed cul-de-sac was to be used for parental drop-off/pick-ups and student/visitor parking during school hours, and as parking for after school programs and events. The new parking area is not needed to satisfy parking requirements but to reduce congestion at the existing parking area on Partridge Road and access roads which in the Initial Project would be achieved by relocating student drivers, visitors, and parental drop-off/pick-up to the new parking area at 800 North Street.

The existing 80-space Partridge Road school parking lot would continue to be used for faculty parking, school buses and the larger special events.

No expansion to previously approved school building facilities at 50 Partridge Road is proposed or necessary.

The Initial Project involved the following approval actions:

1. Approval of a subdivision of the property at 800 North Street ("North Street Subdivision" or "Proposed Subdivision") containing approximately 192,200 square feet, or 4.41 acres of land area, to create 5 new lots including 4 lots for single family residences ("Residence Lots"), one lot to be developed with 62 parking spaces and combined with 50 Partridge Road, a private cul-de-sac roadway, and a drop-off area ("School Parking Parcel") accessory to GSNY and related site plan approvals (Planning Board No.101-10).

Note: As discussed under Project Modifications below, the size of the proposed North Street parking lot has been reduced from 62 spaces to 38 spaces.

2. Lot line adjustment to reduce the lot area of the existing single-family residential property at 7 Roger Place from approximately 20,124 square feet to approximately 17,489 square feet by removing an approximately 2,635 square foot triangularly shaped parcel ("7 Roger Place Triangular Parcel") and merging said 2,635 square feet of land area with the proposed School Parking Parcel, subject to the final subdivision approval of the North Street Subdivision.

Note: As discussed below, the Applicant has withdrawn its request for approval of a lot line adjustment that involves 7 Roger Place.

3. Lot line adjustment to merge the proposed School Parking Parcel and the 7 Roger Place Triangular Parcel with the existing GSNY property at 50 Partridge Road containing approximately 15.78 acres, subject to the final subdivision approval of the North Street Subdivision.

Note: As discussed under Project Modifications below, the Applicant has withdrawn its request to merge the 7 Roger Place Triangular Parcel with the existing GSNY property at 50 Partridge Road.

4. Amendment to the Special Permit for a Private Elementary and Secondary School at 50 Partridge Road, previously amended by the White Plains Zoning Board of Appeals at its meeting on September 7, 1988, to incrementally increase the maximum enrollment cap at the school from 375 to 500 students over a five year period at the rate of 25 additional students per year, and the reestablishment of a nursery school within the 500 student cap (Planning Board No. 226-10).
5. Approval by the White Plains Commissioner of Public Works of the Stormwater Pollution Prevention Plan ("SWPPP") and, also, public utility and street construction permits.
6. Approval by the Planning Board of the site plans for the proposed, four new Residence Lots and the site plan for improvements on the School Parking Parcel.
7. Approval by the Westchester County Public Works Department of a new street right-of-way connection to North Street, a County Road, including permits for utility connections, relocation of a stone wall onto private property and a Curb Cut Permit for private roadway connection to North Street.
8. Approval by the Westchester County Health Department of the proposed water supply and sanitary sewer systems.
9. All other necessary actions and approvals related to the implementation of the above actions.

DESCRIPTION OF THE MODIFIED PROJECT:

A number of modifications were made to the Initial Project, described in the Application and discussed in the DEIS, as a result of public and City Department comments on the DEIS and further study by the Applicant ("Project Modifications"). The Project Modifications were made to mitigate or lessen previously identified potential impacts and do not result in any new potentially significant adverse effects that have not already been addressed in the DEIS.

These Project Modifications were accepted by the Planning Board and included as part of the Proposed Action in the FEIS and are described in this Findings Statement for the purposes of the environmental review:

The Project Modifications are discussed in the Comments and Responses Section of the FEIS and are summarized below:

- A. Installation of a deceleration/right turn lane for traffic entering the proposed North Street access from northbound North Street. This will enable northbound right turning vehicles to get out of the way of vehicles seeking to turn left onto northbound North Street from Club Pointe Drive.
- B. The proposed deceleration/left turn lane for traffic entering the proposed North Street access from southbound North Street has been increased in length to 150 feet to enable additional vehicular

queuing space, which is almost three times greater than required prior to the redistribution of morning School traffic as noted in E, below.

- C. Reduction of the size of the proposed North Street parking lot from the 62 spaces of the Proposed Action to 38 spaces, as proposed in Alternative D (Section V.D) of the DEIS. This reduces impervious surfaces and resultant stormwater impacts, and increases the separation distance from the adjoining properties.
- D. The final approval of the Stormwater Pollution Prevention Plan (SWPPP) and associated proposed drainage facilities are subject to the approval of the City DPW and the finalization of these items depends upon the approval by the Planning Board of a specific site plan alternative. The DPW approval would, therefore, be one of the conditions of the Planning Board Findings Statement and subsequent site plan approval. For the proposed smaller, 38-space parking lot, the stormwater management design as discussed in the DEIS for the 62-space parking lot would presumably be downsized because of the smaller amount of proposed impervious surface.
- E. Re-distribution of traffic to the proposed North Street access from that proposed by the Applicant in the DEIS, which was for use for drop-offs and pick-ups (including for the nursery school), student drivers, and visitors, to what the Traffic Commissioner and Planning Department recommend:

The new, smaller, 38-space parking lot is to be used by:

- student drivers
- nursery school faculty and staff
- nursery school drop-offs and pick-ups by parents
- K-12 parent pick-ups in the mid-day and PM peak.

The existing 80-space Partridge Road parking lot will continue to be used for:

- all school busses
- K-12 faculty and staff
- K-12 parent drop-offs during AM school hour
- visitor parking.

Appendix N of the FEIS includes a compilation of the above analysis scenarios (Traffic Volume Figures and Levels of Service Summary Tables). This recommended drop-off/pick-up plan would result in improved operation of the proposed North Street access during the Weekday Peak AM School Hour and improved operation of the Partridge Road access during the Weekday Peak Midday School Hour and Weekday Peak PM Highway Hour. As shown on the Level of Service Summary Tables (FEIS Appendix N), the North Street access will be improved from a Level of Service "D" (2016 Build Year), Level of 5 Service "D" (2021 Build Year) and Level of Service "E" (2026 Build Year) to a Level of Service "C" (2016 Build Year, 2021 Build Year and 2026 Build Year) during the Weekday Peak AM School Hour with the North Street access projected to operate at a Level of Service "C" (2016 Build Year, 2021 Build Year and 2026 Build Year) during the Weekday Peak Midday School Hour and at a Level of Service "C" (2016 Build Year, 2021 Build Year) and Level of Service "D" (2026 Build Year) during the Weekday Peak PM Highway Hour.

- F. Relocation of the sidewalk along the proposed access road from the southerly side as proposed in the DEIS, to the north side of the access road and parking lot to provide more direct access to the School for pedestrians.

- G. The Applicant will fund the installation of wireless equipment, such as “Sensys” vehicle detection equipment, or alternate equipment selected by the City, on the approaches of Ridgeway to better manage the peak traffic flows at the Ridgeway and North Street intersection. The Applicant will also fund installation of pedestrian pushbuttons for the crossing of North Street at Ridgeway so that pedestrians can be given a longer signal time when actuated and thereby provide for safer pedestrian access to the School.
- H. The Applicant has added the following to the Transportation Management Plan (TMP) (FEIS Appendix O):
- The School will hire a traffic professional to conduct parking counts on Partridge Road and Roger Place on a typical day during the Fall and Spring for a 5 year period. The report of counts should be submitted to the City’s Transportation Engineer for review.
 - The name and phone number of the School’s transportation coordinator will be provided to the City’s Transportation Engineer.
 - The City’s Transportation Engineer can request a coordinated review of traffic operations in order to maintain safe traffic plans in the vicinity of the School.
 - Regular School events will be provided to the City on a yearly basis.
 - Once approved, copies of the Transportation Management Plan will be made available to the public.
- I. Some pervious parking areas will be provided for the North Street parking lot.
- J. The design, location, and screening of the proposed parking area lighting will be ground mounted bollard lighting that will not be lit after 6 PM except in the case of special event evening parking, in which case residents of abutting properties and the Commissioner of Public Safety will receive at least 72 hour prior notice if feasible, and as soon as possible otherwise. In addition, low-level pedestrian lighting will be placed along the sidewalk adjacent to the parking lot in order to provide for the safety and security of those German School faculty and/or staff who may need to walk home or access the School from one of the proposed homes after 6 PM.
- K. The four (4) proposed single family homes will not be used for educational purposes set forth in either the German School Charter approved by the Board of Regents of the State of New York or the definition of private elementary or secondary School, or accessory nursery school or day care center set forth in the Zoning Ordinance, and the homes will be on the tax rolls of the City of White Plains.
- L. All four (4) houses shall be completed (Temporary Certificate of Occupancy) within the first five years of the special permit approval, and the Applicant will put in place all landscaping and screening to mitigate the view of the proposed parking area prior to issuance of any permit for its use. It is principally the existing topography of the property, augmented by the proposed landscaping, which will screen the parking lot from view from North Street).
- M. The Applicant no longer proposes the lot line adjustment proposed in the DEIS between 7 Roger Place, owned by the German School, 800 North Street, and the main German School property at 50 Partridge Road.

- N. If requested, the Applicant will work with the City to create a pedestrian open space linkage to the City's railway system that would protect the School while providing an enhancement to the neighborhood which has limited sidewalk connectivity, subject to insurance and liability considerations and non-interference with the School's operation and security concerns.
- O. The Deputy Commissioner of Parking for Transportation Engineering (City's Transportation Engineer) and the Traffic Commission recommend that a School Speed Zone of either 20 or 25 MPH be installed in the vicinity of the proposed access on North Street, stating that "the new access is anticipated to provide some access for pedestrians and bicyclists and the access road and parking area proposed is an extension of the school grounds which would qualify as frontage in the Traffic Division's opinion. The school zone would more appropriately address the impact of the proposed changes and would be easier to emphasize with programmable flashing signs."

The Westchester County Traffic Engineering & Highway Safety Division of the Department of Public Works and Transportation does not agree with the installation of a "School Zone Speed Limit," and has recommended instead reducing the speed limit from 35mph to 30mph along the portion of North Street between the Harrison Town/Village line and Ridgeway (see County Review Letter in Traffic Appendix L Attachment A).

The Applicant will fund the installation of whatever signage is approved by the City and County, including with respect to the County's recommendation that intersection marking signs be placed on both approaches to the new North Street access, making note of the locations and possible need for modification of the existing warning signs for Club Pointe Drive and Roger Place.

The Planning Board concurs with the recommendation of the City's Transportation Engineer and Traffic Commission.

FINDING I-0: Although the Westchester County Traffic Engineering and Highway Safety Division of the Department of Public Works and Transportation has recommended reducing the speed limit on North Street from 35 mph to 30 mph, based on its review of the Environmental Record, the Lead Agency finds that the recommendation of the City's Transportation Engineer and the Traffic Commission regarding the installation of a "School Zone Speed Limit" of either 20 or 25 MPH in the vicinity of the proposed access on North Street, will likely better serve to mitigate any potential significant adverse traffic impacts.

The Lead Agency recommends that the City's Transportation Engineer establish a "School Zone Speed Limit" of either 20 or 25 MPH in the vicinity of the proposed access on North Street, and notes that the School Speed Zone limits should be consistent, with a preference for a lower speed limit of 20 MPH.

- P. North Street is a County Road and any access to it for any type of development, residential or institutional, must be approved by the Westchester County Commissioner of Public Works. At 800 North Street, the stone wall and significant landscaping including large old trees are located within the County right-of-way; not on the Applicant's property. The Applicant has indicated that Westchester County is requiring that, with the establishment of the road and its connection to North Street, the owner of the property must relocate the wall and landscaping outside the County right-of-way. Neither the Planning Board, nor the City of White Plains has any jurisdiction over this matter. No modification is possible beyond the mitigation tree planting on the Applicant's property proposed in the DEIS. Reference is made to the County's letter in Appendix L of FEIS, Vol. II.

FINDING I-1: Based on its review of the Environmental Record, the Lead Agency finds that the modifications to the Initial Project were made in response comments regarding the DEIS from the public, City Departments, involved agencies and the Planning Board, and further study by the Applicant.

FINDING I-2: Based on its review of the Environmental Record, the Lead Agency finds that the modifications to the Initial Project were made to mitigate or lessen previously identified potential significant adverse impacts.

FINDING I-3: Based on its review of the Environmental Record, the Lead Agency finds that the modifications to the Initial Project do not result in any new potentially significant adverse effects that have not already been addressed in the DEIS.

FINDING I-4: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

The modifications to the Initial Project were accepted by the Lead Agency to be included in the FEIS, are described in this Findings Statement, and are considered as part of the Proposed Action for the purposes of the environmental review.

PART II. REVIEW PROCEDURES AND PROCESS

Part II provides a summary and background of the review procedures and process more fully documented in the resolution entitled:

RESOLUTION ADOPTING THE FINDINGS STATEMENT (“ FINDINGS STATEMENT “) REGARDING AN AMENDMENT TO THE SPECIAL PERMIT FOR THE GERMAN SCHOOL OF NEW YORK AT 50 PARTRIDGE ROAD AND APPROVAL OF A 5-LOT SUBDIVISION FOR THE PROPERTY LOCATED AT 800 NORTH STREET AND ASSOCIATED SITE PLAN APPROVALS. (PLANNING BOARD NO. 101-10 AND NO. 226-10).

On May 17, 2010, the Applicant submitted an application regarding an amendment to the current Special Permit to operate an Elementary and Secondary School to: 1) increase the School's enrollment cap from 375 students to 500 students over a five-year period at the rate of 25 additional students per year; 2) reestablish an accessory nursery school within the 500 student cap; and 3) approve a 5-lot subdivision for the property located at 800 North Street.

At its February 15, 2011 meeting, the White Plains Planning Board declared its intent to serve as the Lead Agency and to conduct a coordinated SEQR environmental review to assess the potential impacts of the Proposed Action, if the Lead Agency status was confirmed.

At its March 15, 2011 meeting, the Planning Board (a) designated itself Lead Agency for environmental review of the Initial Project; (b) determined that it is appropriate for the approval actions to be combined for the purposes of the SEQR review in order to assess the cumulative impacts to the environment; (c) determined that the initial Proposed Action is a Unlisted Action under SEQR; (d) based on a comparison of the Initial Proposed Action to the criteria of significance, determined that the Proposed Action may have a significant effect on the environment; (e) determined that the Applicant must prepare a Draft Environmental Impact Statement (DEIS) to systematically assess potential impacts, alternatives and measures to mitigate potential impacts; and (f) scheduled a public scoping session regarding the scope of issues to be addressed in the DEIS for its meeting on April 12, 2011, at 7:00 P.M.

in the Common Council Chambers, City Hall, 255 Main Street, White Plains New York and establish a period to receive written comments until 5:00 p.m. Friday, April 22, 2011.

At its April 12, 2011 meeting, the Planning Board held a public scoping session regarding issues that should be addressed in the DEIS.

At its meeting on May 17, 2011, the Planning Board adopted the proposed revised Draft Scoping Document, with revisions through May 17, 2011, for the preparation of a DEIS (“Adopted Scoping Document”).

On May 15, 2012, based on staff recommendations, the Planning Board (a) accepted the Revised DEIS as adequate for the purpose of commencing public review and comment regarding issues addressed in the Adopted Scoping Document; (b) authorized the Revised DEIS to be made available to involved agencies, interested parties and the public; (c) scheduled public hearings regarding the Revised DEIS to be held during the regularly scheduled meeting of the Planning Board on June 19 2012, and a special meeting on June 26, 2012, at 7:00 P.M., in the Common Council Chambers, White Plains Municipal Building, 255 Main Street, White Plains, New York for the purpose of receiving such public comments thereon as may be offered; (d) scheduled a 10-day period following the close of the public hearing on June 26, 2012 or 10 days following the close of an adjourned hearing to receive additional written comments regarding the Revised DEIS for consideration by the Planning Board which comments would be received by the Planning Department until 5:00 p.m., the last date of such written comment period.

The Planning Board held public hearings regarding the DEIS on June 19, 2012, June 26, 2012, and July 19, 2012, for the purpose of receiving such public comments thereon as may be offered.

A number of modifications were made to the Proposed Action discussed in the DEIS in response to comments received regarding the DEIS, and comments from the City Departments, involved agencies and the Planning Board (“Project Modifications” or “Modified Project”).

On March 19, 2013 the Planning Board accepted the FEIS dated February 13, 2013, with Amendments for consideration in making environmental findings; authorized the Environmental Officer, City Staff, and the Applicant to finalize the FEIS for the purpose of distributing and making available the FEIS to involved and interested parties and the public; authorized the Environmental Officer to distribute appropriate notices and filings as required by SEQR; established a 10-day period starting with the date of distribution of the FEIS by the Environmental Officer in which to consider the FEIS before issuing its written findings statement; and authorized the Environmental Officer and City staff to prepare draft environmental findings statement for the Planning Board’s consideration.

On April 2, 2013, the Applicant transmitted edited copies of FEIS dated March 28, 2013, which was the FEIS dated February 13, 2013, with amendments recommended by the City Departments or adopted by the Planning Board at its meeting on March 19, 2013.

On, April 10, 2013, the Environmental Officer authorized the distribution of the FEIS dated March 28, 2013, which incorporated the FEIS dated February 13, 2013 with amendments approved on March 19, 2013.

At its meeting on May 21, 2013, the Planning Board commenced its consideration of the Findings Statement.

The Findings Statement prepared by the City staff and Environmental Officer: (a) examines the relevant environmental conditions and expected impacts and provides specific environmental findings; (b)

weighs and balances relevant environmental impacts with social, economic and other considerations; (c) examines the Alternatives and the Proposed Action and additional proposed measures to mitigate the impacts of the Proposed Action; and (d) provides the necessary findings and certifications as required under the State Environmental Quality Review Act, Environmental Conservation Law SS 8-101. et seq.

The Planning Board has thoroughly reviewed the initial application ("Initial Project"), the Draft Environmental Impact Statement ("DEIS") dated May 15, 2012; the public hearing record from the DEIS public hearings held on June 19, 2012, June 26, 2012 and July 19, 2012, the Final Environmental Impact Statement dated March 28, 2013, which described modifications to the Initial Project ("Modified Project"), the additional conditions discussed to document the project or to mitigate potential adverse impacts and the Findings Statement which constitute the environmental review record ("Environmental Record") which, when considered together, serves as a basis for the SEQR findings.

PART III: ENVIRONMENTAL CONDITIONS, EXPECTED IMPACTS, AND FINDINGS

This section contains the specific findings regarding a description of the Proposed Action, environmental conditions, expected impacts and the conditions that shall be considered to be a part of the Proposed Action for the purposes of the SEQR Findings.

The Planning Board makes the following general findings which shall be specifically incorporated in each of the applicable findings in this Part III.

GENERAL FINDING 1: SUBMISSIONS TO THE CITY

Certain of the findings herein require the Applicant to submit certain documents, management and operation plans and other materials ("Required Approval Documents") to specified City officers and departments ("Reviewing Entities"). Such Reviewing Entities shall review the submitted materials to determine whether the materials comply with all applicable requirements. In the event such Reviewing Entities dispute the adequacy of the submitted materials, they shall inform the Applicant and the Planning Board of the deficiencies, and may give the Applicant up to sixty (60) days to correct the deficiencies. Extensions beyond 60 days must be requested from the Planning Board.

No Building Permit shall be issued for the Proposed Action until all Required Approval Documents have been approved by the Reviewing Entities.

GENERAL FINDING 2: PLANS AND PROCEDURES

Certain of the findings herein require the Applicant to comply with approved plans, procedures, protocols and other programs for activities. Applicant must comply with all such plans, procedures, protocols or other programs. Any conflicts between or among such plans, procedures, protocols or other programs must be resolved to the satisfaction of the approving agency, with appropriate documentation provided to the Corporation Counsel.

GENERAL FINDING 3: ENFORCEMENT

If the City, through its appropriate enforcement agencies, determines that any of the submissions still do not comply with all applicable requirements after the Applicant has been given an opportunity to correct them, or if there has been a lack of compliance with any part of any plan, protocol, procedure or other program, the City shall take appropriate action to

enforce the conditions and requirements of the project approval. This paragraph shall not limit the City's enforcement, police and other powers.

A. LAND USE

1. Land Use: Existing Conditions

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the description of existing land uses on the Project Site and in the study area, as presented in the Environmental Record, is accurate.

2. Land Use: Impacts of Proposed Action

The guiding policy document for the City with respect to land use and public policy is the 1997 Comprehensive Plan as amended in 2006. The land use recommendations applicable to the German School property are under the Major Corridors and Outer Area Neighborhoods.

The Comprehensive Plan as amended in 2006 includes the following Vision Statement and Strategies for the North Street Corridor applicable to the German School:

North Street Corridor Vision Statement

The Plan envisions North Street as a primarily residential corridor with a largely rural character distinguished by a gently winding road course, fieldstone walls, mature indigenous trees, significant natural buffering from the Hutchinson River Parkway to Ridgeway, and heavily landscaped, deeply set back non-residential uses with preserved natural buffers from Ridgeway to Westchester Avenue. The Plan specifically envisions North Street not being widened from Westchester Avenue south to the City line.

North Street Corridor Strategies:

- *Take measures to preserve the stone walls, mature trees and other natural features along North Street, particularly south of Ridgeway.*
- *Establish open space corridor setbacks and standards along North Street to protect the existing character of the street, including the stone walls and natural vegetation.*
- *Preserve and enhance environmental and open space features on development sites by suitably revising existing zoning, subdivision, cluster and environmental regulations (with particular attention to building coverage requirements) to reduce permitted density and provide greater flexibility in preserving critical environmental and open space features.*
- *Assist the golf courses to remain as open space resources in the City. Reduce potential residential density to that of the Fenway golf course (i.e. R1-30). (For further recommendations on the Westchester Hills and Ridgeway golf courses, see Major Properties: Golf Courses.)*
- *Develop open space linkages between public and private open spaces and community facilities along the corridor - including the golf courses, New York Hospital and the High School - and develop connecting linkages along Bryant Avenue to the Mamaroneck Avenue corridor. (For options on New York Hospital, see Major Properties: New York Hospital.) (Ongoing.)*

- *Oppose any future widening of North Street from Westchester Avenue south to the City line, if ever proposed by the County.*

With respect to the Vision Statement and Strategies for the North Street Corridor, the Proposed Project includes design elements that are intended to preserve the character of the corridor, as shown on the drawings in the FEIS.

At 800 North Street, the stone wall and significant landscaping including large old trees are located within the County right-of-way. Westchester County is requiring that, with the establishment of the road and its connection to North Street, the owner of the property must relocate the wall and landscaping outside the County right-of-way. As a condition of approval, the existing stone wall must be relocated, preserved and reconstructed as has been done with other residential subdivisions along North Street.

The mature trees within the North Street Lot, which are healthy and viable, will be preserved subject to the Tree Preservation Guidelines, and additional new trees and landscaping will be provided to maintain the tree-lined character of streetscape. There will also be street trees according to City standards along the proposed cul-de-sac roadway. The trees to be planted along North Street will be a staggered row in order to appear more natural, as shown on a revised landscape plan, dated May 31, 2013.

The 800 North Street property is situated between two similar cul-de-sac subdivisions, Roger Place to the north, and Nina Lane to the south. Within the Proposed Subdivision, only single-family residential properties will be created, the houses will be on oversized lots with substantial setbacks from North Street, versus the minimum zoning requirements. Lot 1 will have a 75-foot set back and Lot 4 will have a 60-foot set back from the North Street right-of-way.

The proposed parking/drop-off/pick-up area will be set back approximately 400 feet from North Street, at the western end of the proposed private cul-de-sac roadway and screened with plant landscaping. The proposed parking/drop-off/pick-up area has been reduced from 62-spaces to 38-spaces. With this reduction, the setbacks for the parking/drop-off/pick-up area toward the adjacent residences on Roger Place and Nina Lane will be approximately 85 to 100 feet. In these setback areas, the existing trees will be preserved and supplemented with a row of evergreen (Blue Spruce and Douglas Fir) evergreen trees.

The design, location, and screening of the proposed parking area lighting will be ground mounted bollard lighting that will not be lit after 6 PM except in the case of special event evening parking, in which case residents of abutting properties and the Commissioner of Public Safety will receive at least 72 hour prior notice. In addition, low-level pedestrian lighting will be placed along the sidewalk adjacent to the parking lot, in order to provide for the safety and security of those German School faculty and/or staff who may need to walk home or access the School from one of the proposed homes after 6 PM. The lights will be shielded to prevent any light-trespass off of the German School property.

Currently the School has installed security cameras with low light capacity to monitor and record the current parking lot, the access drive and the School building perimeter. The cameras can be accessed remotely and could also be accessed by the police if the need arose. The camera system would also be installed in the new parking lot. In addition, the School affords the City Police complete access to its property for regular patrols, further enhancing security.

The North Street school parking area will be closed (gated) overnight except for during the early

evenings for special events and activities.

The Applicant has agreed to work with the City to create a new "open space linkage" to the City railway system over the School property, subject to an appropriate agreement with the City which would protect the School from liability, and to non-interference of any such trail linkage with the operations of the School.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following conditions which will likely serve to mitigate potential significant adverse impacts to the adjoining properties:

- 1. The design, location, and screening of the proposed parking area lighting shall be ground mounted bollard lighting that will not be lit after 6 PM except in the case of special event evening parking, in which case residents of abutting properties and the Commissioner of Public Safety will receive at least 72 hour prior notice when feasible, and as soon as possible otherwise. In addition, low-level pedestrian lighting will be placed along the sidewalk adjacent to the parking lot, in order to provide for the safety and security of those German School faculty and/or staff who may need to walk home or access the School from one of the proposed homes after 6 PM. The lights will be shielded to prevent any light-trespass off of the German School property.**
- 2. Currently, the School has installed security cameras with low light capacity to monitor and record the current parking lot, the access drive and the School building perimeter. The camera system shall also be installed in the new parking lot.**
- 3. The North Street school parking area shall be closed (gated) overnight except for during the early evenings for special events and activities**
- 4. Within the two residential lots with frontage on North Street, all buildings shall be setback approximately 75 ft. from the North Street paved roadway in order to maintain the open space corridor setbacks along North Street recommended by the Comprehensive Plan.**
- 5. The Applicant and the City shall work together with the City to create a pedestrian open space linkage to the City's railway system that would protect the School while providing an enhancement to the neighborhood which has limited sidewalk connectivity, subject to insurance and liability considerations and non-interference with the School's operation.**

The Applicant proposes that existing pedestrian gate at the end of the Roger Place cul-de-sac will remain open but its use will be internally restricted by the School, to eliminate any School-related traffic and student drop-offs/pick-ups on or student use of Roger Place.

The proposed parking lot and limitation of the existing Partridge Road access driveway to buses, staff, and parental drop-off and pick-up for grades 1 through 12, will mitigate existing traffic and any additional traffic generated by the enrollment cap increase. The proposed parking area is set back from North Street, and access will be screened from neighboring residential properties with existing and proposed landscaping, integrating the proposed parking area into the neighborhood. The proposed cul-de-sac roadway to access the parking lot is consistent with other cul-de-sac roadways in the vicinity of the School

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition which is appropriate to mitigate

potential significant adverse impacts to the adjoining properties:

- 6. The existing pedestrian gate at the end of the Roger Place cul-de-sac will remain open but its use will be internally restricted by the School, to eliminate any School-related traffic and student drop-offs/pick-ups on or student use of Roger Place**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that, the Proposed Action includes design elements that serve to avoid or minimize potential adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that are identified herein; and that the Proposed Action with those mitigating measures is consistent with the Comprehensive Plan Goals, objectives, and strategies for the North Street Corridor.

The Comprehensive Plan as amended in 2006 includes the following Vision Statement and Strategies for the Outer Area neighborhoods applicable to the German School:

Outer Area Neighborhoods Vision Statement

Like the vision for the Close-In neighborhoods, the vision for the Outer Area neighborhoods focuses on preservation - preservation of neighborhood diversity and sense of community; preservation of the high-quality homes on spacious lots; and preservation of tree-lined streets, public open spaces and substantial portions of open space on quasi-public and private institutional and commercial properties. It also focuses on controlling growth through the reduction in permitted densities on large undeveloped and underdeveloped residential parcels and through the strict regulation of development, ensuring that new housing is compatible with the character of the surrounding area and is developed in a manner sensitive to the open space and environmental features of the individual sites and neighborhoods.

While the discussion regarding the Vision Statement and Strategies for the North Street Corridor above are similarly applicable to and consistent with those for the Outer Area neighborhoods, the only strategy for the Outer Area neighborhoods which the proposal may initially call into question is the following strategy added in the 2006 Revision to the Comprehensive Plan for the Outer Area neighborhoods:

Outer Area Neighborhood Strategies:

Limit intrusions or expansions by institutional uses other than religious institutions in the Outer Area neighborhoods, particularly with reference to traffic and off-site parking impacts.

The current 80 space parking lot is adequate for current and future operation of the School. However, with its sole access via 50 Partridge Road, it does not allow for the distribution of traffic away from the Haviland Manor neighborhood. The 800 North Street parcel is owned by the German School and located immediately adjacent to the School's existing facility.

As the Applicant has stated, the sole reason that the new parking/drop-off/pick-up area is proposed is to mitigate the very impacts which this strategic "limiting" is expressly intended to primarily address and mitigate, i.e., any existing and potential "traffic and off-site parking impacts" of the School use on the nearby residential properties. It is noted that existing traffic and parking conditions will be mitigated through the implementation of the Proposed Action. There will be advantages to the Haviland Manor neighborhood in terms of less School-related traffic moving through that neighborhood. The mitigation measures discussed in the DEIS and within this FEIS will help reduce

impacts to the area in general. The Proposed Action serves to mitigate significant adverse impacts to acceptable levels of service along North Street and serves to ensure that the character of North Street is protected.

The redistribution of traffic as specified by the City's Transportation Engineer and included in the Project Modifications will allow parental drop-off traffic at the Partridge Road access (current conditions) during the Weekday Peak AM School Hour with parental pick-up during the Weekday Peak Mid-Day School Hour and Weekday Peak PM Highway Hour at the North Street access. Visitor parking is to remain at the Partridge Road lot (current conditions). Parking for Nursery School staff and student drivers will be at North Street access parking area.

The DEIS Traffic Impact Study evaluated student drop-offs and pick-ups at the North Street Lot. An alternative analysis was also evaluated in the DEIS Traffic Impact Study for continued drop-off and pick-up at the Partridge Road lot. Appendix N of the FEIS includes a compilation of the above scenarios (Traffic Volume Figures and Levels of Service Summary Tables).

The recommended drop-off/pick-up plan would result in improved operation of the proposed North Street access during the Weekday Peak AM School Hour and improved operation of the Partridge Road access during the Weekday Peak Midday School Hour and Weekday Peak PM Highway Hour. As shown on the Level of Service Summary Tables, the North Street access will be improved from a Level of Service "D" (2016 Build Year), Level of Service "D" (2021 Build Year) and Level of Service "E" (2026 Build Year) to a Level of Service "C" (2016 Build Year, 2021 Build Year and 2026 Build Year) during the Weekday Peak AM School Hour with the North Street access projected to operate at a Level of Service "C" (2016 Build Year, 2021 Build Year and 2026 Build Year) during the Weekday Peak Midday School Hour and at a Level of Service "C" (2016 Build Year, 2021 Build Year) and Level of Service "D" (2026 Build Year) during the Weekday Peak PM Highway Hour.

The revised student pick-up/drop-off plan has been added to the Transportation Management Plan.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action serves to limit the expansion or intrusion into the portion of the German School-owned North Street parcel adjoining the School for the following reasons:

- The Proposed Action requires the reduction of the size of the proposed North Street parking lot from 62 spaces of the Initial Project to 38 spaces adjacent to the existing School.
- The Proposed Action requires the re-distribution of the AM Peak Hour parental drop-offs from the North Street parking lot as described in the Initial Project to Partridge Road for grades K-12 as currently exists.
- The Proposed Action limits the school usage of the 800 North Street as an accessory parking lot for nursery school drop-off and pick-up, student parking, and nursery school teachers parking and PM parental pick-up.
- The Proposed Action does not involve the construction of any school buildings on the 800 North Street site.
- The Proposed Action reduces of the size of the proposed North Street parking lot and thereby, reduces the amount of paved surface area and increases the parking lot setbacks from the adjacent residential properties.

- **The Proposed Action provides landscaping to screen the North Street parking lot from nearby residential properties and from North Street.**
- **The Proposed Action involves substantially limited days and hours of operation of the North Street parking lot as an accessory use to the German School.**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that, the Proposed Action, is consistent with the Comprehensive Plan strategy to "limit intrusions or expansions by institutional uses" in the Outer Area neighborhoods.

ZONING

The following is a description of applicable zoning regulations including the following standards for special permit uses set forth in Section 6.5 of the Zoning Ordinance.

- 1. The location and size of the special permit 'use', the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to 'streets' giving access to it are such that it will be in harmony with the appropriate and orderly development of the area in which it is located*

The School is operated on the former premises of the North Street Elementary School. On June 2, 1986, the School was granted a Special Permit by the Zoning Board to operate its then existing school with classes through grade 13. A classroom addition to the School building was approved at that time. On September 7, 1988, in connection with the Zoning Board approval of 2 single-story classroom additions and an expanded parking area, an enrollment limit of 375 students was imposed. The School seeks to amend this 23 year-old "cap" by way of an incremental increase over 5 years to 500 students at the rate of 25 additional students per year, while mitigating any potential impacts of such increase, including through the use of the new road and parking/drop-off/pick-up area. The School's current multi-faceted application for site plan and subdivision approval and special permit amendment is now brought before the Planning Board pursuant to the "Multiple Concurrent Applications" provision of Section 4.1.3 of the Zoning Ordinance.

The existing and proposed uses are permitted by the Zoning Ordinance. Under Section 5.1 of the Zoning Ordinance, the "Schedule of "Use" Regulations" for the residential, R1-12.5 Zoning District, in which the School's property is located, a private elementary / secondary school is a use permitted by Special Permit. A nursery school program in conjunction with a permitted private elementary/secondary school is a permitted accessory use when located on the same lot as the principal uses. An open parking area for private passenger vehicles is also a permitted accessory use. The Proposed Action includes the merger of the School Parking Parcel with the adjacent German School parcel at 50 Partridge Road. A single-family dwelling(s) is a principal permitted use in the R-12.5 District.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that, the development of a new parking/drop-off/pick-up area located within a proposed subdivision lot which will be merged with the adjacent German School parcel at 50 Partridge Road is a permitted accessory use to the private elementary/secondary school.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that, a single-family dwelling(s) is a principal permitted use in the R-12.5 District.

No expansion to the previously approved school building facilities at 50 Partridge Road is proposed or necessary in regard to the proposed Special Permit.

The Proposed Action also involves the approval of a subdivision of the property at 800 North Street containing approximately 192,200 square feet, or 4.41 acres of land area, to create 5 new lots including 4 lots for single family residences (“Residence Lots”), one lot to be developed with accessory parking and combined with 50 Partridge Road, a private cul-de-sac roadway, and a drop-off area (“School Parking Parcel”) accessory to GSNY. (Planning Board No.101-10)

As described in the DEIS and FEIS, the proposed lots conform to the area and bulk regulations of the R1-12.5 Zoning District. The four proposed homes will all be on oversized lots ranging from 21,500 square feet to 26,850 square feet, about two times as large as the 12,500 foot minimum lot size in the R1-12.5 zoning district. Likewise, the proposed building coverage ranges from 10.8% to 13.5% of the lots, well below the 25% maximum coverage for all buildings on a lot permitted by the zoning district

The proposed cul-de-sac roadway to access the residential lots and the German School parking lot is consistent with other cul-de-sac roadways in the vicinity of the School.

As discussed in the DEIS, the Proposed Subdivision conforms to the standards set forth in the “Requirements for Approval of Subdivision Plans of the City of White Plains” in regard to the size, configuration, and layout for the five individual lots and design and layout of the proposed private street cul-de-sac.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action conforms to the standards set forth in the “Requirements for Approval of Subdivision Plans of the City of White Plains” in regard to the size, configuration, and layout for the five individual lots and design and layout of the proposed private street cul-de-sac.

The four (4) proposed single family homes will not be used for educational purposes set forth in either the German School Charter approved by the Board of Regents of the State of New York or the definition of private elementary or secondary School, or accessory nursery school or day care center set forth in the Zoning Ordinance, and the homes will be on the tax rolls of the City of White Plains. These four (4) residential lots shall be listed on the tax rolls and assessed as a single-family residential use and not for a tax exempt purpose or use.

All four (4) houses shall be completed (TCO) within the first five years of the special permit approval, and the Applicant will put in place all landscaping and screening to mitigate the view of the proposed parking area prior to issuance of any permit for its use. It is principally the existing topography of the property, augmented by the proposed landscaping, that will screen the parking lot from views from North Street.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The four (4) proposed single family homes will not be used for educational purposes set forth in either the German School Charter approved by the Board of Regents of the State of New York or the definition of private elementary or secondary School, or accessory nursery school or day care center set forth in the Zoning Ordinance, and the homes will be on the tax rolls of the City of White Plains. These four (4) residential lots**

shall be listed on the tax rolls and assessed as a single-family residential use and not for a tax exempt purpose or use.

- **All four (4) houses shall be completed (Temporary Certificate of Occupancy) within the first five years of the special permit approval, and the Applicant will put in place all landscaping and screening to mitigate the view of the proposed parking area prior to issuance of any permits for its use. It is principally the existing topography of the property, augmented by the proposed landscaping, that will screen the parking lot from view from North Street.**

The Lot line adjustment regarding 7 Roger Place that was included in the Initial Project has been withdrawn by the Applicant and is no longer included in the Proposed Action.

2. *The location, nature and height of 'buildings', walls and fences and the nature and extent of existing or proposed plantings on the site are such that the special permit 'use' will not hinder or discourage the appropriate development and 'use' of adjacent land and 'buildings.'*

No building modifications for the German School facilities at 50 Partridge Road are proposed as part of this Special Permit Amendment application.

As described in the DEIS and the FEIS, the Proposed Action, as modified by these Environmental Findings, complies with the area and bulk regulations of the Zoning Ordinance

There will be street trees along the proposed cul-de-sac turnaround to enhance visual appeal and to screen the new parking area, which will be set back about 400 feet from North Street, and which is at a lower elevation than North Street, so it should not be seen from North Street. The proposed private roadway landscaping and trees will at minimum meet City of White Plains roadway landscaping standards. Existing established trees along the north, south and east sides of the proposed School parking lot have been retained as much as possible. Additional plantings have been proposed for the parking lot area to buffer the lot from neighboring lots, along with a decorative fence. Proposed plantings immediately adjacent to the parking lot will primarily be low shrubs with a few trees in order to provide screening of parked cars while maintaining sight lines necessary for parking lot security. A total of three (3) landscaped islands are provided within the parking area. The three landscaped islands contain a total of nine trees, which exceeds the six trees required for this 38-space parking lot by §8.7.5.1 of the Zoning Ordinance, which specifies that a minimum of one tree be provided for every 12 spaces. An additional 16 trees are provided around the immediate perimeter of the parking lot. A 6-foot high landscaped berm is proposed which will help screen views of the parking lot from the two-story homes on Nina Lane.

Although the minimum required front yard setback in the R1-12.5 zoning district is 25 feet, the project proposes that for residential Lot 1 and Lot 4, which are adjacent to North Street, the proposed homes will be set back 75 feet and 60 feet, respectively, from their North Street adjoining property line, with an additional approximately 25 feet for Lot 1 and 15 feet for Lot 4 of public right-of-way from their property lines to the North Street edge of pavement. This yields a distance of approximately 100 feet and 75 feet, respectively, of the Lot 1 and Lot 4 homes from the North Street paved roadway. There will thus be a permanent landscaped approximately 75 foot open space buffer along the property's 385 foot frontage on North Street comprising the combined landscaped side yards of Lots 1 and 4 plus the vegetated North Street right-of-way. There will be additional plantings along the North Street frontage, all within private property and

not within the vegetated North Street right-of-way, including evergreens, deciduous and flowering trees (Figure I.A-3 "Site Landscaping Plan").

The stone wall frontage along North Street will be maintained and set back approximately 20 feet onto private property to improve sight distance as requested by Westchester County, and extended approximately 90 feet along the proposed private roadway. The existing wall will also be set back beyond the property frontage to the south and then connect to the existing wall within the North Street right-of-way to further improve the sight distance in this direction. The relocated wall will use the stone from the existing wall and be consistent with the existing wall along the frontage of the 800 North Street property and other residential properties on North Street. Existing established trees will be maintained wherever possible along the perimeter of the property and the existing trees will be supplemented with additional evergreen trees to buffer the new houses and parking area from the houses on Roger Place and Nina Lane, as illustrated on the Site Landscaping Plan (FEIS SP-8, "Site Landscaping Plan"), meeting Special Permit Standard ii.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The final installation and location of landscaping plant materials included on the approved Landscaping Plan shall be reviewed on site and approved by the Tree Preservation Committee for the purpose of minimizing visual impacts to the adjacent properties.**

3. *Operations in connection with any special 'use' will not be more objectionable to nearby properties by reason of noise, traffic, fumes, vibration or other characteristics than would be the operations of permitted 'uses' not requiring a special permit.*

A private school, such as the German School, requires a Special Permit. A private school would be anticipated to generate no additional noise, traffic, fumes, or other characteristics than that of a public school, which is permitted as-of-right in the R1-12.5 District. White Plains High School situated at 550 North Street, approximately 0.5 miles to the north of the German School campus, is within the R1-12.5 District. This school had an enrollment of 2,202 students in the 2009-2010 school year according to the New York State School Report Card "Accountability and Overview Report 2009-10." Thus, the operation of a private school "Special Use" meets the criteria of this Special Permit Standard.

The Proposed Action, that includes four single-family residential properties and a parking lot that has been limited to 38 parking spaces, does not represent uses that would be a significant source of air pollution.

The reduction of the size of the proposed parking lot from 62 spaces to 38 spaces reduces the number of vehicles using that lot along with the associated traffic volumes and vehicle noise and exhaust fumes and serves to help mitigate the potential significant adverse impacts for the adjacent properties.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the reduction of the size of the proposed parking lot from 62 spaces to 38 spaces and the re-distribution of traffic to the proposed North Street lot with usage for nursery school staff and nursery drop-offs and pick-ups, parental PM pick-up and student drivers reduces the number of vehicles using that lot, reduces vehicle noise and exhaust fumes and serves to mitigate the potential significant adverse impacts for the adjacent properties.

The proposed project will provide extensive plantings to mitigate impacts to the immediate neighborhood. For example, there will be additional plantings along the North Street frontage, all within private property, including evergreen, deciduous and flowering trees. There will also be street trees according to City standards along the proposed cul-de-sac roadway and two landscaped islands within the roadway and one within the cul-de-sac turnaround to enhance visual appeal and to screen the new parking area, which will be set back about 400 feet from North Street, and which is at a lower elevation than North Street, which substantially reduces its visibility from North Street. Existing established trees along the north, south and east sides of the proposed School parking lot have been retained to the extent practicable. Additional plantings have been proposed for the parking lot area to buffer the lot from neighboring lots, along with landscaped berm and with a decorative fence. As described herein above, proposed plantings immediately adjacent to and within the parking lot will primarily be low shrubs with a few trees in order to provide screening of parked cars while maintaining sight lines necessary for parking lot security. A total of three landscaped islands are provided within the parking area.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the reduction in the size of the parking lot and proposed landscaping will serve to reduce associated noise and screen the parking lot from the adjacent properties and mitigate or lessen potential significant adverse impacts.

4. *"Parking Lots" Will Be Of Adequate Size For The Particular Special Permit 'Use', Properly Located And Suitably Screened From Adjoining Residential 'Uses', And The Entrance And Exit Drives Shall Be Laid Out So As To Achieve Maximum Convenience And Safety."*

The proposed parking lot/drop-off/pick-up area and limitation of the existing Partridge Road access driveway to vans/buses and staff and parental AM drop-off for grades K-12 will mitigate existing traffic and any additional traffic generated by the enrollment cap increase. The proposed expanded parking area is set back from North Street, and access will be screened from neighboring residential properties with existing and proposed landscaping, integrating the proposed drop-off/pick-up/parking area into the neighborhood. The proposed cul-de-sac roadway to access the parking lot is consistent with other cul-de-sac roadways in the vicinity of the School. These factors demonstrate compliance with the criteria of Special Permit Standard.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the proposed landscaping and reduction in the size and limitation of access to the new North Street parking lot/drop-off/pick-up area for student drivers, nursery school staff, and nursery school drop-offs and pick-ups and parental PM pick-ups will mitigate potential significant adverse impacts for the adjacent properties.

At its May 21, 2013 meeting, the Planning Board discussed the phasing of development for the North Street access road, four residential lots and access parking lot. The Applicant stated that it is their intent to proceed immediately with the road and parking lot improvements and to screen the parking lot. John Collins stated that the traffic studies did not address any delayed or phased construction of the parking lot and recommended that the lot and access road be built as soon as possible.

The initial construction and use of the North Street access road, together with the drop-off area and 38 space parking lot facilitates a coordinated review and possible modification of traffic operations in order to maintain safe traffic plans in the vicinity of the School.

The Planning Board supported the Applicant's intention to construct the North Street access roadway, parking lot and all associated landscaping, screening, fences, and earth berm at the start of the project.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the initial construction and use of the North Street access road, together with the drop-off area and 38 space parking lot, facilitates a coordinated review and possible modification of traffic operations in order to maintain safe traffic plans in the vicinity of the School, and which serves to mitigate potential significant adverse traffic impacts,

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **Upon the Planning Board's approval, the Applicant shall expeditiously commence and complete construction of the North Street access road and parking lot and the installation of all associated landscaping, screening, fences, and earth berm at the start of the project. The construction of the North Street access road and parking lot should not be delayed or phased and shall not to be related to the incremental increases in the School's maximum enrollment cap from 375 to 500 students over a five year period.**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action complies with the Standards for Special Permit Uses in Section 6.5 of the Zoning Ordinance.

As stated in conditions for the Modified Project, all four (4) houses shall be completed (TCO) within the first five years of the special permit approval, and the Applicant will put in place all landscaping and screening to mitigate the view of the proposed parking area before issuance of any permit for its use. (It is principally the existing topography of the property, augmented by the proposed landscaping, which will screen the parking lot from view from North Street.)

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **All four (4) houses shall be completed (Temporary Certificate of Occupancy) within the first five years of the special permit approval, and the Applicant will put in place all landscaping along the North Street Access road, and all screening to mitigate the views of the proposed parking area prior to issuance of any permit for use of the lot.**

The development of the four new residential lots is subject to the site plan approval and standards in Section 7 of the Zoning Ordinance. Neither the overall property at 800 North Street, nor the four individual residential lots, exhibits any environmentally sensitive features. The site plan approval agency for these lots is the Planning Board because the White Plains Building Department has waived its site plan approval jurisdiction. The development of these lots should be subject to the applicable conditions included in this Findings Statement. Prior to the issuance of a Building Permit for the residential lots, the Commissioner of Building shall refer the Building Permit application to the Commissioners of Public Works and Planning and the City's Transportation Engineer to confirm that the site plans substantially conform to the all the improvements, modifications and conditions as described in the adopted Findings Statement and the Planning Board's site plan approval for the lots.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **Prior to the issuance of a Building Permit for the residential lots, the Commissioner of Building shall refer the Building Permit application to Commissioners of Public Works and Planning and the City's Transportation Engineer to confirm that the site plans substantially conform to the all the improvements, modifications, and conditions as described in the adopted Findings Statement and the Planning Board's site plan approval for the lots.**

The proposed parking lot is subject to the Standards for Special Permits uses in Section 6.5 of the Zoning Ordinance states that "All special permit "uses" shall comply with the following standards in addition to the "site plan" standards of Section 7.5.3. The approving agency shall attach such additional conditions and safeguards to any special permit as are, in its opinion, necessary to insure initial and continual conformance to all applicable standards and requirements." The Planning Board is the approval agency for the parking lot site plan. The development of this lot should subject to the applicable conditions included in this Findings Statement.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The development of the parking lot shall be subject the site plan approval of the Planning Board under Section 7.5.3 of the Zoning Ordinance and the applicable conditions included in this Findings Statement.**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action complies with the requirements of the Zoning Ordinance.

B. VEGETATION AND WILDLIFE

During construction, the school's construction specifications which must be consistent with and implement the City's Construction Management Protocol (Appendix I) will require the Contractor to protect, throughout the course of construction, all such trees as are shown on the approved landscaping and tree preservation plan as "To be Saved" or "To Remain." The Contractor shall be required to work with the City's Tree Preservation Committee to use every precaution to prevent injury, damage, pollution, erosion or destruction of existing landscaping and vegetation to remain.

The 800 North Street property contains numerous trees mostly grouped on the four edges of the lot. A large open lawn area fills much of the center of the site. Numerous groupings of smaller ornamental plants are situated at the former pool, tennis court and gardens. These plantings are largely overgrown and mixed with both woody and herbaceous weeds and other brush. Drawing SP-3 "Site Demolition Plan" depicts the 94 out of the total of 215 trees to be removed (with therefore a total of 121 trees to be preserved). The trees were identified on the property in accordance with the requirements of the City's Tree Preservation Guidelines, which identifies "protected trees" as red and white dogwood, copper beech, black walnut, mulberry, and birch, and "specimen trees" as trees which have a minimum trunk diameter of twelve (12) inches at a point four (4) feet above the natural grade and/or a minimum crown spread of fifteen (15) feet). Seven (7) protected trees, consisting of five birch and two dogwoods, are proposed to be removed. Of the 131 significant trees present on the site, 64% will be preserved with the proposed subdivision.

A revised Site Landscape Plan, SP-8, dated 03/28/2013, included in the FEIS, was submitted to demonstrate changes to site regarding the reduced to 38 space parking area. Existing established trees have been retained along lot boundaries. A planted buffer has been proposed for lot boundaries. Many of the proposed tree removals consist of deciduous trees that would provide minimal screening for much of the year while shading the proposed evergreens in the landscape buffer. The proposed landscape plan includes indigenous plant species that have been selected to best maintain the rural character of the neighborhood in both the short and long term. Approximately 132 trees and 174 shrubs/perennials are proposed in the Site Landscape Plan to be integrated into the existing landscaped character of the neighborhood.

Following construction, the proposed landscaping will be maintained by the German School as required by §4.4.19 of the City's Zoning Ordinance and subject to Chapter 7-5 "Trees" Article II "Protection, Preservation and Maintenance" ("Tree Preservation Guidelines") of the City Code, and in a similar manner to the existing landscaping on the German School property. The School will continue to employ a professional landscaping and maintenance company to keep the properties and landscaping maintained to the same high standard as required by the Planning Board Approval, and to the high standards that the School has maintained through the years that it has been operating on the School grounds themselves.

As discussed above, the stone wall frontage along North Street will be maintained and set back approximately 20 feet from North Street to improve sight distance as requested by Westchester County, and extended approximately 90 feet along the proposed private roadway. The existing wall will also be set back within the North Street right-of-way beyond the property frontage to the south to further improve the sight distance in this direction, which will require County approval. The relocated wall is to be situated on private property for its relocated portion, and the tie-ins to the existing wall on either end will be within the North Street right-of-way, and it will be consistent with the existing wall along the frontage of the 800 North Street property and other residential properties on North Street. The stone from the existing wall will be used for the relocated wall.

There will be additional plantings along the North Street frontage, all within private property, including evergreen, deciduous and flowering trees.

There will also be street trees according to City standards along the proposed cul-de-sac roadway and two landscaped islands within the roadway and one within the cul-de-sac turnaround to enhance visual appeal and to screen the new parking area, which will be set back about 400 feet from North Street, and which is at a lower elevation than North Street, which substantially reduces its visibility from North Street. Existing established trees along the north, south and east sides of the proposed School parking lot have been retained to the extent practicable.

As previously discussed, additional plantings and the landscaped berm have been proposed for the parking lot area to buffer views of the lot from neighboring lots, along with a decorative fence.

Existing established trees will be maintained wherever possible along the perimeter of the property and the existing trees will be supplemented with additional evergreen trees to buffer the new houses and parking area from the houses on Roger Place and Nina Lane, as illustrated on the Site Landscaping Plan (FEIS Drawing SP-8, "Site Landscaping Plan").

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The final installation and location of landscaping plant materials included on the approved Landscaping Plan shall be reviewed on site and approved by the Tree Preservation Committee for the purpose of minimizing visual impacts to the adjacent properties.**
- **As required by the Zoning Ordinance Section 4.4.19, the Applicant shall be required to maintain all site landscaping.**

C. SURFACE WATER RESOURCES

As described in the DEIS, the Stormwater Pollution Prevention Plan for the project has been designed in accordance with the requirements of the City of White Plains and the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit No. GP-0-10-001 for Stormwater Discharges from Construction Activity. (See Appendix K within the DEIS, "Stormwater Pollution Prevention Plan (SWPPP)".) For the proposed smaller, 38-space parking lot, the stormwater management design as discussed in the DEIS for the 62-space parking lot would presumably be downsized because of the smaller amount of proposed impervious surface. The final approval of the Stormwater Pollution Prevention Plan (SWPPP) and associated proposed drainage facilities are subject to the approval of the City DPW for the reduced-size parking lot discussed above and the finalization of these items depends upon the approval by the Planning Board of a specific site plan alternative.

The post-development rate and quantity of stormwater runoff to North Street will be reduced compared with existing conditions. Subsurface infiltration systems are proposed on each of the residential properties. Subsurface infiltration systems are also proposed to collect runoff from the new parking lot as well as from the proposed private roadway. Stormwater piping will be installed beneath the easterly North Street right-of-way to convey overflow from the proposed roadway in a northerly direction to an existing stormwater manhole and infrastructure adjacent to Roger Place. In summary, the majority of stormwater will be retained on-site, and the rate of runoff to the North Street drainage system will be less than under existing conditions. These measures will ensure that there will be no adverse environmental impacts related to stormwater runoff.

Several permanent infrastructure improvements are proposed to treat and control the post-construction quality of the stormwater discharged from the site and reduce the impact on downstream waters, including:

1. Sumps in Catch Basins

Each catch basin will have an 18 inch deep sump. This measure will remove coarse sand and grit from the runoff prior to entering the stormwater drainage system. The sumps will reduce the sediment transported to the stormwater management practices, thus reducing the maintenance required for these practices.

2. Subsurface Infiltration Systems

Subsurface infiltration systems will consist of chamber units that will be utilized for quality and quantity control of runoff. The water quality volume is designed to infiltrate through the bottom of the chamber bed. These chambers are manufactured from high molecular weight density polyethylene. They have an open bottom and integrally formed end walls designed for support and structural integrity. The chambers to be utilized on this project are designed to accommodate an H-20 design load. The units will be placed within an excavation on a prepared 6" thick crushed stone

base. They will be surrounded with additional stone and buried with acceptable backfill, with filter fabric placed between the stone and backfill.

3. Stormwater Quality Structures

Stormwater Quality Structures will be used to treat the required runoff volume generated from the subject property and provide improvement to water quality control. The proposed structure will provide water quality for 90% of the average annual stormwater runoff volume.

The German School of New York (or future owners) will be responsible for the long-term operation and maintenance of the permanent stormwater management facilities on all the properties, including the private roadway. A maintenance agreement and fees are to be submitted to the City, along with funds to be held in escrow by the City.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The final approval of the Stormwater Pollution Prevention Plan (SWPPP) and associated proposed drainage facilities are subject to the approval of the City DPW.**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Propose Action provides permanent infrastructure improvements to treat and control the post-construction quality of the stormwater discharged from the site and reduce the impact on downstream waters. Subject to the approval of the Department of Public Works, the stormwater improvements will serve to mitigate the potential significant adverse impacts for the adjacent properties.

D. SOIL EROSION AND SEDIMENTATION CONTROL

Construction of any development can potentially impact soils and by erosion and transport of sediment. A Sediment and Erosion Control Management Program has been established to mitigate these impacts, beginning at the start of construction and continuing to the completion of the project, as outlined in the "New York Guidelines for Urban Erosion & Sediment Control," as amended, and the City of White Plains Construction Management Protocol. A continuing maintenance program as required by the City DPW will be implemented for the control of sediment transport and erosion control after construction and throughout the useful life of the project.

The Sediment and Erosion Control Management Program is a requirement of the SWPPP the White Plains Construction Management Protocol.

Throughout the construction of the proposed redevelopment, temporary control facilities will be implemented to control on-site erosion and sediment transfer. Descriptions of the temporary sediment & erosion controls that will be used during the development of the site including silt fence, stabilized construction entrance, seeding, mulching and inlet protection are as follows:

- i. Silt Fence is constructed using a geotextile fabric. The fence will be either 18 inches or 30 inches high. The height of the fence can be increased in the event of placing these devices on uncompacted fills or extremely loose undisturbed soils. The fences will not be placed in areas which receive concentrated flows such as ditches, swales and channels nor will the filter fabric material be placed across the entrance to pipes, culverts, spillway structures, sediment traps or basins.

- ii. Stabilized Construction Entrance consists of AASHTO No. 1 rock. The rock entrance will be a minimum of 50 feet in length by 20 feet in width by 8 inches in depth.
- iii. Seeding will be used to create a vegetative surface to stabilize disturbed earth until at least 70% of the disturbed area has a perennial vegetative cover. This amount is required to adequately function as a sediment and erosion control facility. Grass lining will also be used to line temporary channels and the surrounding disturbed areas.
- iv. Mulching is used as an anchor for seeding and disturbed areas to reduce soil loss due to storm events. These areas will be mulched with straw at a rate of 3 tons per acre such that the mulch forms a continuous blanket. Mulch must be placed after seeding or within 48 hours after seeding is completed.
- v. Inlet Protection will be provided for all stormwater basins and inlets with the use of curb & gutter inlet protection and stone & block inlet protection structures, which will keep silt, sediment and construction debris out of the storm system.

The contractor shall be responsible for maintaining the temporary sediment and erosion control measures throughout construction. This maintenance will include, but not be limited to, the following tasks:

- i. For dust control purposes, moisten all exposed graded areas with water at least twice a day in those areas where soil is exposed and cannot be planted with a temporary cover due to construction operations or the season (December through March).
- ii. Inspection of erosion and sediment control measures shall be performed at the end of each construction day and immediately following each rainfall event. All required repairs shall be immediately executed by the contractor.
- iii. Sediment deposits shall be removed when they reach approximately 1/3 the height of the silt fence. All such sediment shall be properly disposed of in fill areas on the site, as directed by the Owner's Field Representative. Fill shall be protected following disposal with mulch, temporary and/or permanent vegetation and be completely circumscribed on the downhill side by silt fence.
- iv. Rake all exposed areas parallel to the slope during earthwork operations.
- v. Following final grading, the disturbed area shall be stabilized with a permanent surface treatment (i.e. turf grass, pavement or sidewalk). During rough grading, areas which are not to be disturbed for fourteen or more days shall be stabilized with the temporary seed mixture, as defined on the plans. Seed all piles of dirt in exposed soil areas that will not receive a permanent surface treatment.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Propose Action includes temporary construction related sediment & erosion controls that will serve to mitigate the potential significant adverse impacts for the adjacent properties.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Sediment and Erosion Control Management Program is a requirement of the SWPPP and the White Plains Construction Management Protocol.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The Sediment and Erosion Control Management Program shall be subject to the approval of the Department of Public Works.**

E. TRAFFIC, PARKING AND PEDESTRIAN FLOW AND SAFETY ANALYSIS

As detailed in the Traffic Impact Study, the proposed incremental increase in enrollment cap of 125 students (375 to 500 students over a five year period at a rate of 25 students per year) plus the 4 single family homes will not significantly affect the area roadways because similar Levels of Service (except for school traffic exiting the proposed North Street access for the year 2026) and delays will be experienced on nearby North Street intersections and other neighborhood roadways under both Future No-Build (without the Proposed Action) and Future Build Conditions (with the Proposed Action), as described in the Traffic Impact Study (Appendix D) and Section IV.E of the DEIS.

Ten intersections were selected for analysis in the Traffic Impact Study. The DEIS Capacity Analysis was conducted for the 2011 Base Traffic Volumes (2011 Base), 2016 Year 2016 No-Build and Build conditions (2016 NB/B), Year 2021 No-Build and Build conditions (2021 NB/B), and Year 2026 No-Build and Build conditions (2026 NB/B). Additional analysis was conducted for the intersection at North Street and Club Pointe Drive for the same years, but with analysis for three separate periods during the day, the Weekday Peak AM School Hour, Weekday Peak Midday School Hour and Weekday Peak PM Highway Hour.

	2011 <u>Base</u>	2016 <u>NB/B</u>	2021 <u>NB/B</u>	2026 <u>NB/B</u>
(1) North Street and Havilands Lane	C	D/D	D/D	D/D
(2) North Street and Ridgeway	B	B/B	B/B	B/B
(3) Ridgeway and Laurel Road	B	B/B	B/B	B/B
(4) Ridgeway and Partridge Road (West Leg)	B	B/B	B/B	B/B
(5) Ridgeway and Partridge Road (East Leg)	A	A/A	A/A	A/A
(6) Partridge Road and Kass Road	A	A/A	A/A	A/A
(7) Partridge Road and Topland Road/ Existing School Access	B	B/A	B/B	B/B
(8) Havilands Lane and Laurel Road	A	A/A	A/A	A/A
(9) Havilands Lane and Partridge Road	A	A/A	A/A	A/A
(10) North Street and Club Pointe Drive				
Weekday Peak AM School Hour	C	C/C	C/C	C/C
Weekday Peak Midday School Hour	C	C/C	C/C	C/C
Weekday Peak PM Highway Hour	D	D/D	D/D	D/D

Based on the above, similar Levels of Service at the study area intersections, with the exception of the new North Street access, will be experienced under both Future No-Build and Future Build Conditions.

In addition with the provision of the North Street access, there will be no increase in traffic along North Street for the current cap of 375 students. However, there will be a minimal (+2%) increase in traffic along North Street due to the increase in cap to 500 students.

In addition, the new access to North Street and new parking area will allow the School to better manage traffic to and from the School as part of a Transportation Management Plan (TMP), which will further mitigate any traffic impacts. The School's TMP will be implemented as part of the incremental enrollment cap increase and is subject to the approval of the City's Transportation Engineer and the Department of Public Safety.

The TMP states that when public bus transportation is available from the student's areas of residence, those students are required to ride the bus to school. Parents are required to sign an Enrollment Agreement which states that it is mandatory for a student to use the school bus if a school bus is available. This serves to reduce the number of vehicular trips to the School.

In conjunction with the incremental enrollment cap increase from 375 to 500 students over a five year period (25 students per year), the Proposed Action includes a new drop-off/pick-up/parking area to be constructed with direct access to North Street. This parking area will enable the School to better manage traffic to and from the School by designating the School's two drop-off/pick-up/parking areas for different School uses and to separate buses from drop-offs and pick-ups.

As part of the Transportation Management Plan, student/faculty information will be submitted on a yearly basis to the City by October 1st of that school year. In addition, three times during the school year, on a typical school day, the number of cars parked at both the 800 North Street and the Partridge Road school parking lots, and the number of buses accessing the School drop-off/pick-up area at the Partridge Road school parking lot, will be recorded. Such information will be reported to the City's Transportation Engineer as verification of compliance with the approved TMP.

For other activities outside the normal school hours, i.e., School Board Meetings, PTA Meetings, etc. the Partridge Road school parking lot will be used. This will also apply to the use of the School for the German Language Program, which is held on Saturday and one weekday evening. The Partridge Road school parking lot will not otherwise be used during the evening except for authorized vehicles, i.e., maintenance, security, etc. For special events, the use of both parking areas may be required to reduce the potential of parking on the public streets (both access drives will be open). This will likely be limited to the annual Christmas Bazaar during the first week of December as discussed below. The North Street school parking area will be closed (gated) overnight except for during the early evenings for special events and activities. Operational specifics are included within the TMP

For the few larger events such as the Christmas Bazaar described above where using both school parking lots is necessary, the School will provide parking managers to direct vehicles to the appropriate parking lot and to overflow parking on the School field at the Partridge Road lot as may be necessary. Fliers are to be provided to the German School students for them to take home in advance, explaining the parking management plan for the event. In the case of special events, the residents of abutting properties and the Commissioner of Public Safety will receive at least 72 hour prior notice.

A detailed Traffic Management Plan (TMP) was included in the DEIS Traffic Impact Study. Additional measures have been added to the TMP as recommended by the City of White Plains Department of Traffic and City of White Plains Planning Department (Appendix O).

The current 80 space parking lot is adequate for current and future operation of the School. However, it does not allow for the distribution of traffic away from the Haviland Manor specified by the City's Transportation Engineer and the Traffic Commission, by utilizing the lot for parking by students and nursery school faculty, and for nursery school drop-off and pick-up, and parental PM pick-up as now adopted by the Applicant in this FEIS.

The redistribution of traffic as specified by the City's Transportation Engineer and adopted by the Applicant will allow parental drop-off traffic at the Partridge Road access (current conditions) during the Weekday Peak AM School Hour with parental pick-up during the Weekday Peak Mid-Day School Hour and Weekday Peak PM Highway Hour at the North Street access. Visitor parking is to remain at the Partridge Road lot (current conditions).

This recommended drop-off/pick-up plan would result in improved operation of the proposed North Street access during the Weekday Peak AM School Hour and improved operation of the Partridge Road access during the Weekday Peak Midday School Hour and Weekday Peak PM Highway Hour. As shown on the FEIS Level of Service Summary Tables, the North Street access will be improved from a Level of Service "D" (2016 Build Year), Level of Service "D" (2021 Build Year) and Level of Service "E" (2026 Build Year) to a Level of Service "C" (2016 Build Year, 2021 Build Year and 2026 Build Year) during the Weekday Peak AM School Hour with the North Street access projected to operate at a Level of Service "C" (2016 Build Year, 2021 Build Year and 2026 Build Year) during the Weekday Peak Midday School Hour and at a Level of Service "C" (2016 Build Year, 2021 Build Year) and Level of Service "D" (2026 Build Year) during the Weekday Peak PM Highway Hour.

The approved student pick-up/drop-off plan has been added to the Transportation Management Plan (TMP) (Appendix O).

Future operating levels of service for the proposed access onto North Street are at acceptable levels for the overall intersection operation but show significant delays for the access roadway approach. This could lead to increased conflicts between vehicles exiting Club Pointe Drive and vehicles entering or exiting the proposed access. In order to minimize the effect of these conflicts The City's Transportation Engineer has recommended additional modifications to the project and Transportation Management Plan, which are included in the Project Modifications accepted by the Planning Board in the FEIS, as follows:

1. Install a deceleration/right turn lane for traffic entering the proposed access from northbound North Street. This will enable northbound right turning vehicles to get out of the way of vehicles seeking to turn left onto northbound North Street from Club Pointe Drive.

In addition to the separate left turn entering lane, the Applicant will install a separate right turn entering lane at the North Street access as recommended. The cost of these improvements will be the responsibility of the Applicant.

2. Establish a School speed zone of either 20 or 25 MPH (speed and exact sign locations as determined by the Traffic Commission and New York State guidelines) in the vicinity of the proposed access on North Street. This will help to reduce speeds of through traffic during the critical times when increased traffic will be utilizing the new access. The result should be an improvement in the ability of traffic to exit Club Pointe Drive and other side streets during these time periods. The speed reduction will also provide additional safety for any pedestrians or bicyclists accessing the School at this location. Programmable flashing signs will be necessary for this installation to be effective.

The Westchester County Traffic Engineering & Highway Safety Division of the Department of Public Works and Transportation does not agree with the installation of a "School Zone Speed Limit," and has recommended that the portion of North Street, between the Harrison Town/Village line and Ridgeway be changed from a 35 mph to a 30 mph speed limit. (See Westchester County Review Letter – FEIS Appendix L, Attachment A.) The City Planning Board has expressed its preference for a 25 mph school zone speed limit.

The Applicant will fund the installation of whatever signage is approved by the City and County and will accept whatever speed limit is proposed by the authorities with jurisdiction.

The Applicant will fund installation of wireless "Sensys" vehicle detection equipment, or alternate detection equipment as requested by the City's Transportation Engineer, on the approaches of Ridgeway to better manage the peak flows at the Ridgeway and North Street intersection. The Applicant will also fund installation of pedestrian pushbuttons for the crossing of North Street at Ridgeway so that pedestrians can be given a longer signal time when actuated and thereby provide for safer pedestrian access to the School.

The City's Transportation Engineer has recommended the installation of a pedestrian signal display for the crossing of North Street at Ridgeway so that pedestrians can be given a longer signal time when actuated and thereby provide for safer pedestrian access to the School.

The City's Transportation Engineer has recommended the installation of traffic detection systems in the east and west bound lanes of Ridgeway east of North Street to provide ongoing traffic counts from the Havilands Manor area.

The City's Transportation Engineer and the Planning Department have recommended, as part of the proposed Transportation Management Plan (TMP), periodic surveys that should include a review of parking and or drop off on the nearby residential streets (not just on the site) to insure that parents and students are not utilizing these streets for drop off, parking or pick up activity on regular School days. These surveys should be conducted during the drop off and pick up time periods. It should also be stipulated that the name and phone number of the Transportation Coordinator be provided to the Commissioner of Traffic along with the required reports submitted and in the beginning of each School year or when changes in this position occur.

The following has been added to the Transportation Management Plan (TMP)

1. A review of parking will be conducted on Partridge Road and Roger Place on a typical day during the Fall and Spring for a 5 year period.
2. The name and phone number of the School's transportation coordinator will be provided to the Commissioner of Traffic.
3. The City's Transportation Engineer can request a coordinated review of traffic operations in order to maintain safe traffic plans in the vicinity of the School, including review of traffic volume assessments through the traffic detection system, and can make modifications to the traffic volume distributions between the 50 Partridge Road access/parking lot and the proposed 800 North Street access/ parking lot as necessary.
4. Changes to the Transportation Management Plan resulting from the coordinated of traffic operations will be subject to the approval of the City's Transportation Engineer and Planning Department.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Transportation Management Plan shall be modified to include the recommendations of the City's Transportation Engineer and that these modifications are necessary to mitigate potential significant adverse environmental impacts as follows:

1. The Applicant will fund wireless "Sensys" vehicle detection equipment, or alternate detection equipment as requested by the City's Transportation Engineer, on the approaches of Ridgeway to better manage the peak flows at the Ridgeway and North Street intersection. The Applicant will also fund installation of pedestrian push buttons for the crossing of North Street at Ridgeway so that pedestrians can be given a longer signal time when actuated and thereby provide for safer pedestrian access to the School.
2. The Applicant shall also fund the installation of a pedestrian signal display for the crossing of North Street at Ridgeway so that pedestrians can be given a longer signal time when actuated and thereby provide for safer pedestrian access to the School.
3. The Applicant shall fund the installation of traffic detection systems in the east and west bound lanes of Ridgeway east of North Street to provide ongoing traffic counts from the Havilands Manor area.
4. A review of parking will be conducted on Partridge Road and Roger Place on a typical day during the Fall and Spring for a 5 year period.
5. The name and phone number of the School's transportation coordinator will be provided to the Commissioner of Traffic.
6. The City's Transportation Engineer can request a coordinated review of traffic operations in order to maintain safe traffic plans in the vicinity of the School, including review of traffic volume assessments through the traffic detection system and relevant accident data, and can make modifications to the traffic volume distributions between the 50 Partridge Road access/parking lot and the proposed 800 North Street access/ parking lot as necessary. Any substantial modification should be referred to the Planning Board for any comments prior to implementation.
7. Changes to the Transportation Management Plan resulting from the coordinated of traffic operations will be subject to the approval of the City's Transportation Engineer and Planning Department.
8. A list of regular School events will be provided to the City on a yearly basis.
9. Once approved by the Planning, copies of the Transportation Management Plan will be made available to the public.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action including the Transportation Management Plan as amended represents modifications necessary to eliminate or mitigate significant adverse environmental impacts.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The Transportation Management Plan shall be subject to the final approval by the City's Transportation Engineer.**

A traffic flow gap analysis for the un-signalized intersections was conducted in the DEIS Traffic Impact Study for Club Pointe Drive, Nina LANE/ Roger Place, Maplemoor Lane and McGuinness Lane. Subject to the conditions contained herein, the analysis demonstrated that there are acceptable gaps in the North Street traffic flow under Existing and Future Conditions to permit acceptable vehicular turning movements from the un-signalized intersections onto North Street. A separate left turn lane and separate right turn lane for entering traffic will be provided to minimize conflicting traffic.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the potential conflicts of the proposed North Street access with Club Pointe Drive will be minimal due to modifications to the North Street traffic/roadway improvements and modifications to the Transportation Management Plan which serve to eliminate or mitigate potential significant adverse traffic impacts. Such roadway and traffic improvements shall include a separate left turn lane and separate right turn land for the traffic entering the new North Street access road.

As shown in the Traffic Impact Study and SYNCHRO Analysis, Club Pointe Drive will continue to operate at a Level of Service "C" during the Weekday Peak AM School Hour, will continue to operate at a Level of Service "C" during the Weekday Peak Midday School Hour and will continue to operate at a Level of Service "D" during the Weekday Peak PM Highway Hour with minimal change in delays and queues.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that as shown in the Traffic Impact Study and SYNCHRO Analysis, Club Pointe Drive will continue to operate at a Level of Service "C" during the Weekday Peak AM School Hour, will continue to operate at a Level of Service "C" during the Weekday Peak Midday School Hour and will continue to operate at a Level of Service "D" during the Weekday Peak PM Highway Hour with minimal change in delays and queues.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action would meet the stated objectives of the Applicant and not have any unmitigated significant adverse traffic impacts. The conditions and modifications to the proposed action listed in the Findings Statement represent modifications necessary to mitigate significant adverse traffic impacts.

F. VISUAL/AESTHETICS/NEIGHBORHOOD CHARACTER

A number of steps are being taken by the project to conform to the visual aesthetics and existing character of the neighborhood. For instance, the landscape planting utilizes a variety of plants to serve as a buffer between the new school use and the surrounding properties. A significant percentage of the buffer plantings will be indigenous evergreen to ensure that the buffer is effective at all times of the year.

The 800 North Street school parking lot would for the most part be operational only during the day. A gate would close access to the lot overnight except for evening events and activities.

The design, location, and screening of the proposed parking area lighting will be ground mounted bollard lighting that will not be lit after 6 PM except in the case of special event evening parking, in which case residents of abutting properties and the Commissioner of Public Safety will receive at

least 72 hour prior notice. In addition, low-level pedestrian lighting will be placed along the sidewalk adjacent to the parking lot, in order to provide for the safety and security of those German School faculty and/or staff who may need to walk home or access the School from one of the proposed homes after 6 PM. The fixtures will provide adequate light to the parking area and walkway and be shielded to prevent glare and light impacts onto adjoining properties.

Street roadway lighting is proposed and will be provided in accordance with City standards. The lighting fixtures are to be 15 feet high for both the proposed street lights. All lighting will be shielded.

There will be additional plantings along the North Street frontage, including evergreen, deciduous and flowering trees, all on private property.

There will also be street trees along the proposed cul-de-sac roadway and one landscaped island within the roadway and one within the cul-de-sac turnaround to enhance visual appeal and to screen the new parking area, which will be set back about 400 feet from North Street, and which is at a lower elevation than North Street, which will substantially reduce visibility from North Street. The private roadway landscaping and trees will at minimum meet City of White Plains roadway landscaping standards. Existing established trees along the north, south and east sides of the proposed School parking lot have been retained as much as possible.

Additional indigenous plantings have been proposed for the parking lot area to buffer the lot from neighboring lots, along with a decorative fence. Proposed plantings immediately adjacent to the parking lot will be a combination of shrubs and trees in order to provide screening of parked cars while maintaining sight lines necessary for parking lot security. A total of three (3) landscaped islands are provided within the parking area for a total of nine trees. This exceeds the six trees required for this 38-space parking lot by §8.7.5.1 of the Zoning Ordinance, which specifies that a minimum of one tree be provided for every 12 spaces. An additional 16 trees are provided around the immediate perimeter of the parking lot. A 6-foot high landscaped berm is proposed which will help screen views of the parking lot from the two-story homes on Nina Lane.

Existing established trees will be maintained wherever possible along the perimeter of the property and the existing trees will be supplemented with additional evergreen trees to buffer the new houses and parking area from the houses on Roger Place and Nina Lane, as illustrated on the Site Landscaping Plan.

The proposed cul-de-sac is similar to Roger Place and Nina Lane, and they are approximately 400 feet in length.

The stone wall frontage along North Street will be maintained and set back approximately 20 feet to improve sight distance, and extended approximately 90 feet along the proposed private roadway. The existing wall will also be set back from the North Street right-of-way beyond the property frontage to the south to further improve the sight distance in this direction. The relocated wall will use the stone from the existing wall and will be consistent with the existing wall along the frontage of the 800 North Street property and other residential properties to the north and south, further integrating the proposed subdivision into the existing surroundings. Maintaining the stone wall frontage along North Street is consistent with the Vision Statement and Strategies outlined for the North Street Corridor in the City of White Plains Comprehensive Plan.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the relocation of the stone wall along North Street is consistent with the Comprehensive Plan.

The School will continue to use a professional landscaping and maintenance company to keep the properties and landscaping maintained to the same high standard as required by the Planning Board Approval, and to the high standards that the School has maintained through the years that it has been operating on the School grounds themselves.

The "School Rules and Regulations" state that to help protect the environment, all vehicles must shut off their engines when parked or waiting except when they are actively queuing and moving along to pick up their child(ren). These measures help to mitigate any potential air quality pollution.

Section 3637 of the New York State Education Law requires that all school districts ensure that every driver of a school bus or other school vehicle turn off the engine of the vehicle while waiting for passengers to load or off load on school grounds. When necessary for heating, mechanical or emergency circumstances, the regulations may allow idling only to the extent necessary to achieve such purpose. Furthermore, buses will not be entering or queuing into the proposed 800 North Street school entrance. Therefore, there are anticipated to be no significant adverse impacts to air quality resulting from the proposed parking lot.

Also, there are not anticipated to be any significant adverse impacts to air quality resulting from the from the four (4) single family homes.

Regarding site security, currently the School has installed security cameras with low light capacity to monitor and record the current parking lot, the access drive and the school building perimeter. The cameras can be accessed remotely and could also be accessed by the police if the need arose. The camera system would also be installed in the new parking lot. In addition, the School affords the City Police complete access to its property for regular patrols.

The School has a contract with a security contractor (currently Sonitrol Security). They continually monitor the school building and Roger Place house for the Head of School on a 24/7 basis and would do so for the new parking lot.

As a requirement of the subdivision approval, the design, location, and screening of parking area lighting will be ground mounted bollard lighting that will not be lit after 6 PM except in the case of special event evening parking, in which case residents of abutting properties and the Commissioner of Public Safety will receive at least 72 hour prior notice.

The parking lot lighting will be screened from nearby residences by a landscaped buffer including a landscaped berm between the lot and the houses on Nina Lane. Low-level pedestrian lighting will be provided along the sidewalk adjacent to the parking lot, in order to provide for the safety and security of those German School faculty and/or staff who may need to walk home or access the School from one of the proposed homes after 6 PM.

In addition and in accordance with Comment from the City's Transportation Engineer, the sidewalk along the proposed access road and which runs along the perimeter of the proposed lot will be relocated to the north side of the access road and the northern perimeter of the lot. This will provide more direct access to the School for pedestrians, and will situate the proposed pedestrian lighting adjacent to the residential property the School owns at 7 Roger Place, thereby further mitigating lighting impacts to the homes on Nina Lane.

Unlike the Initial Project, the reduced-size lot would not be used for after School programs and events in the evening hours, except for special events. Parking for after School programs and events

would take place at the existing lot off Partridge Road, as occurs currently. The new parking lot would be gated upon the conclusion of regular School hours and, when parking lot lighting is in use during the darker times of the year, the lighting would be turned off at 6:00 ~~5:00~~ PM every day. However, as per the Planning Department's comment, parking lot lighting will be shutoff at 6:00 PM

every day, except for the low-level pedestrian lighting along the sidewalk adjacent to the parking lot, as discussed above.

The proposed lots on the private road exceed the minimum zoning requirements. The four proposed homes will all be on oversized lots ranging from 21,500 square feet to 26,850 square feet, about two times as large as the 12,500 foot minimum lot size in the R1-12.5 zoning district.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action includes design features, conditions and modifications to the proposed North Street parking/drop-off/pick-up area that serves to mitigate potential significant adverse environmental impacts regarding visual/aesthetics/neighborhood character as follows:

- The proposed North Street parking/drop-off/pick-up area has been reduced is the number of parking spaces from 62 spaces of the Initial Project to 38 spaces.
- The reduction in the number of parking spaces reduces impervious surfaces and resultant stormwater impacts and increases the separation distance from the adjoining properties.
- The design, location, and screening of the proposed parking area lighting will be ground mounted bollard lighting that will not be lit after 6 PM except in the case of special event evening parking, in which case residents of abutting properties and the Commissioner of Public Safety will receive at least 72 hour prior notice. In addition, low-level pedestrian lighting will be placed along the sidewalk adjacent to the parking lot, in order to provide for the safety and security of those German School faculty and/or staff who may need to walk home or access the School from one of the proposed homes after 6 PM. The fixtures will provide adequate light to the parking area and walkway and be shielded to prevent glare and light impacts onto adjoining properties.
- Additional indigenous plantings have been proposed for the parking lot area to buffer the lot from neighboring lots, along with a decorative fence. Proposed plantings immediately adjacent to the parking lot will be a combination of shrubs and trees in order to provide screening of parked cars while maintaining sight lines necessary for parking lot security. A total of three (3) landscaped islands are provided within the parking area for a total of nine trees. This exceeds the six trees required for this 38-space parking lot by §8.7.5.1 of the Zoning Ordinance, which specifies that a minimum of one tree be provided for every 12 spaces. An additional 16 trees are provided around the immediate perimeter of the parking lot.
- A 6-foot high landscaped berm is proposed which will help screen views of the parking lot from the two-story homes on Nina Lane.
- Unlike the Initial Project, the reduced-size lot would not be used for after School programs and events in the evening hours, except for special events. Parking for after School programs and events would take place at the existing lot off Partridge Road, as occurs currently.
- The new parking lot would be gated upon the conclusion of regular School hours and, when parking lot lighting is in use during the darker times of the year, the lighting would be turned-off at 6:00 PM every day, except for the low-level pedestrian lighting along the sidewalk adjacent to the parking lot, as discussed above.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action with conditions and modifications serves to mitigate potential significant adverse environmental impacts regarding visual/aesthetics/neighborhood character.

G. SOCIOECONOMIC

The increase in the student enrollment cap by itself will generate no change in the existing property taxes paid by the German School itself. According to New York State Law, real property owned by non-profit corporations or associations conducted exclusively for educational purposes is exempt from real property tax. The School plans to own ~~the~~ these four residential lots and rent them to parents of students and to staff. Therefore, like the School's Roger Place house, the properties would not be exempt from real estate taxes.

Based on an evaluation of the property taxes currently paid by the adjacent residential lots on Nina Lane as discussed within Section IV.G.1 of the DEIS, it is estimated that the four proposed residential lots will generate approximately \$95,800 in property taxes following implementation of the Proposed Action, which is a 141% increase over the \$39,786 that is paid on the existing 800 North Street property.

Including the 7 Roger Place property owned by the German School, the benefit to the City School District is that the German School is anticipated to pay approximately \$70,786 in public school taxes but has no children using the public school system, assuming 2011/2012 tax rates.

Construction jobs will be generated by the construction of the four (4) proposed single-family homes, the proposed private roadway and related infrastructure, and construction of the proposed 38-space parking area at the end of the private roadway cul-de-sac. It is estimated that 20-25 construction jobs will be created during each of the phases of the project, starting with the construction of the roadway and proposed school parking lot and related underground infrastructure, followed by construction of each of the proposed homes. Because the student cap increase will be accommodated by the existing German School teaching staff, no permanent jobs are anticipated to be created by this action.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action will have no potential significant adverse socioeconomic impacts.

H. UTILITIES, SOLID WASTE

SANITARY SEWER SERVICE

The existing residence on the 800 North Street property was served by a sanitary sewer line which runs within a 10-foot easement to the north of the subject property to the existing 8-inch sanitary sewer main within Roger Place. As part of the proposed development, this sanitary sewer line is proposed to be removed and/or abandoned. An 8-inch sanitary sewer main is proposed within the proposed cul-de-sac roadway to serve the four (4) proposed residential lots. Six-inch sanitary sewer services are proposed to serve the individual residences, with cleanouts located at the property lines

The final approval of the proposed sanitary sewer facilities are subject to the approval of the City

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The new sanitary sewer lines to the proposed improvements at 800 North Street shall be designed to City standards and shall be subject to the approval of the Department of Public Works.**

STORM DRAINS

As part of the proposed development, stormwater from the proposed German School parking lot will be collected via new inlets and storm pipe and conveyed to a subsurface detention system to be located beneath the parking lot. Stormwater from the cul-de-sac roadway and the lawn and landscaped areas from the residential lots will be collected via new inlets and storm pipe and conveyed to a second subsurface detention system to be located on the western side of Lot 1. The system overflow from the proposed parking lot is provided via a new storm pipe and a drain inlet which is to be located to the south of the parking lot. The system overflow from the residential area is provided via approximately 200 feet of new storm pipe which will connect the proposed system to the existing storm sewer manhole located at the Roger Place/North Street intersection. To assist in mitigating the increase in impervious area, pretreatment manholes and drywells are proposed on each residential lot to treat roof runoff. Runoff from the proposed School parking lot and private roadway will undergo water quality treatment via the subsurface detention chambers.

The final proposed drainage facilities are subject to the approval of the City DPW.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The new storm water drainage facilities for the proposed improvements at 800 North Street shall be designed to City standards. The final improvements shall be subject to the approval of the Department of Public Works.**

EASEMENTS

Because the proposed roadway serving the four proposed single-family homes and the proposed German School parking lot is to be private road, easements will need to be granted to the City of White Plains and private utilities to permit these entities to maintain the public utility infrastructure required to be provided in accordance with Sec. 873.1051 of the Sanitary Code of the County of Westchester and other public utility requirements. The German School is to maintain its infrastructure on private property to the City's maintenance standards. All easement agreements should be submitted to the City of White Plains Corporation Counsel for approval.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **All easement agreements should be submitted to the City of White Plains Corporation Counsel for approval.**

ENERGY

The site at 50 Partridge Road and 800 North Street is fully served by private utility services.

There is anticipated to be minimal increase in energy demand resulting from the increase in the enrollment cap by 125 students. This is because there is to be no expansion of the existing school building, and therefore the additional students will be accommodated by the same energy infrastructure that is supporting the existing school operations.

The four proposed single-family homes will utilize energy, with such usage as is typical of single-family residences, and be constructed to meet the energy efficiency and sustainability standards of the City Sustainability Checklist.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The Proposed Action shall be subject to the energy efficiency and sustainability standards of the City Sustainability Checklist.**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action mitigates any potential significant adverse impact to energy usage.

SOLID WASTE

The German School utilizes municipal trash collection services currently, and will continue to do so in the future. The four proposed private homes will also utilize municipal trash services, for which they will pay property taxes and municipal fees.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the four new homes will be served by the City's trash collection services and will not result in any potential significant adverse impact in regard to those services.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The solid waste from the four residential lots should be collected in one central location for municipal pickup unless a private carter is used.**
- **The location and screening of the collection area shall be determined by the Departments of Planning and Public Works.**

I. CONSTRUCTION

Construction of the Proposed Action will conform to the City's 2013 Construction Management Protocol, which is to be posted at the site with the building permit and contact numbers.

The City of White Plains requires that a Construction Management Plan be provided for all proposed projects, to provide further, additional mitigation of project construction impacts. It does this by requiring strict controls on all aspects of the construction, including construction related impacts on adjacent properties and properties within the construction impact area, such as, but not limited to:

- hours of operation of construction vehicles and construction work on the site;
- hours of deliveries to the site, location of deliveries;
- requirement for loading/unloading and storage of materials on the project site;
- length of time travel lanes can be encumbered;
- routing of trades to the site;
- parking for construction workers;
- truck layover locations;
- sidewalk closing or pedestrian diversions to ensure the safety of the pedestrians;
- controls on "fugitive dust";
- the impact of run-off from the site on the City storm drain system, such as from the wash down of delivery vehicles departing the site (all such vehicles must be cleaned on pads located on the site and all drainage must have proper filtration of the wash-down water);
- noise;
- pest control;
- street cleaning;
- site security;
- schedule of periodic meetings with nearby residents and City staff to coordinate project construction and keep residents advised.

The Construction Management Plan is subject to the approval of the Commissioners of Building, Public Safety, Public Works, and Planning, City's Transportation Engineer and the Environmental Officer. Prior to the issuance of any building or excavation permits, the Applicant and its construction management team, including principal contractors, will meet together with representatives of the City Departments of Building, Public Works, Public Safety, and Planning and the Environmental Officer, to review the Project Construction Management Plan and to ensure that all responsible parties understand their responsibilities under that Plan.

The Construction Management Plan requires that the Applicant ensures through appropriate measures, to be agreed upon between the City and the Applicant, that the parking location requirements for construction workers will be strictly enforced. As part of the Construction Management Plan, the Applicant is to submit a parking plan for construction workers that designates the construction manager as the responsible party to ensure that the proposed parking plan is enforced. Once a parking plan is approved by the City for construction workers, the Applicant is required to provide all construction contractors with information on where their workers and the subcontractors are permitted to park and provide clear consequences for the failure to follow these regulations.

The Construction Management Plan is to prohibit staging or "waiting" by construction vehicles on City streets, unless previously approved in writing by the Commissioners of Public Works and Public Safety.

As to "fugitive dust," the Applicant must develop a plan for the protection of adjacent properties, satisfactory to the Commissioner of Building and the Environmental Officer.

All construction staging including delivery of materials will take place on the 800 North Street property, subject to the above noted requirements of the City's Construction Management Plan Protocol. The Plan will address such issues as protection of adjacent residences from visual and noise impacts, as well as drainage, maintenance, fugitive dust control, etc, in accordance with the Construction Management Plan requirements.

In accordance with the City's Construction Management Plan Protocol, the Applicant will consult with residents within the construction impact area on their needs and concerns and provide adequate explanation of the construction process, and ensure proper notice to these owners.

Construction access will be at the location of the property's existing access to North Street. All construction haul locations will be on the property.

Construction traffic will be relatively light. Most heavy equipment will remain on the project site for weeks to months depending upon its use. The labor force generally arrives at the site early in the morning prior to the peak AM highway hour and departs in the early afternoon, prior to the peak PM highway hour, and will be specified in the Construction Management Plan. The specific construction trip generation during peak hours will vary depending on the type of site work being undertaken.

All construction workers parking will occur on the 800 North Street property. The parking area will consist of crushed stone to provide stabilization and to provide a stabilized construction entrance/exit to help prevent dirt from being tracked onto North Street. In addition, wheels will be cleaned to remove sediment prior to vehicles entering the public right-of-way. All sediment that might be spilled, dropped, washed or tracked onto the public right-of-way will be removed immediately, as specified as part of the Construction Management Plan.

Construction is anticipated to proceed in approximately the following order:

- Construction and utility installation of proposed roadway, with binder course.
- Construction of proposed school parking lot.
- Construction of four proposed single-family homes.

Construction noise will have a distinctive character and will be audible out-of-doors in the neighborhood. The nearest homes are 60 feet distant from the nearest proposed limit of disturbance, which is behind the rear of the proposed homes, with the heavier work on the proposed roadway a distance of approximately 210 feet. This distance provides a noise reduction to approximately 65 to 75 dBA, which is classified as "moderately loud" and equivalent to the sound of a residential air conditioner or lawnmower at 100 feet. The houses also provide a 15 to 20 dBA reduction in noise from the exterior to the interior, to a level similar to an interior dehumidifier or normal speech at 10 feet. Construction equipment will generally be positioned further into the property, at the location where the proposed roadway is to be constructed. Construction will also be limited to the hours determined as part of the Construction Management Plan, so there will be no significant or long-term impact to residents.

Section 3-4-3 "Noise Pollution" of the City of White Plains Municipal Code restricts construction-related activities as follows:

The erection, construction (including excavating), demolition, alteration or repair of any building or structure is prohibited other than between the hours of 7:00 a.m. and 7:00 p.m. Monday-Friday and between the hours of 9:00 am and 7:00 pm on Saturdays, Sundays and legal holidays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Commissioner of Building, which permit may be granted for a period not to exceed three (3) days while the emergency continues. If the Commissioner of Building or Commissioner of Public Works should determine that the public health and safety will not be seriously impaired by excavation, or

the erection, construction, demolition, alteration or repair of any building or structure, or the construction of streets and highways, between the hours of 7:00 p.m. and 7:00 a.m., and further determines either that substantial loss or great inconvenience would result to any party in interest by requiring work to be limited to the daytime hours, he may grant permission for such work under his jurisdiction to be done within specified hours between 7:00 p.m. and 7:00 a.m., upon application being made when the permit is issued or during the progress of the work.

Due to the proximity of sensitive receptors, such as nearby residents, noise from the construction site could potentially have negative impacts. Therefore, noise and air pollution will be controlled as part of the Construction Management Plan, which according to the City's Construction Management Plan Protocol includes the following requirements:

- The internal combustion engine-powered construction equipment used in the construction of the project shall be limited to late model (1988 and newer) so as to take advantage of cleaner burning engines, and these late models will have better sound attenuation properties.
- All non-road vehicles over 50 horsepower used with regard to the project will utilize the best technology available for reducing the emission of pollutants, including, but not limited to, retrofitting such non-road vehicles with oxidation catalysts, particulate filters, and/or technology with comparable or better effectiveness.
- All diesel powered non-road vehicles in use at the construction site are to be fueled only with ultra low sulfur diesel.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action shall be subject to the following condition:

- **The Applicant must strictly adhere to the 2013 Construction Management Protocol in all aspects of the construction of the Proposed Project.**

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that, if the Construction Management Protocol is strictly adhered to by all parties, the construction of the Proposed Project will not have any unmitigated adverse impacts on the environment.

J. COMMUNITY FACILITIES AND SERVICES

As described in the DEIS and FEIS, The City of White Plains Department of Public Safety provides municipal police, fire and emergency services to the entire community and neighborhood.

Currently, the School affords the City Police complete access to its property for regular patrols, and this policy will continue into the future, including for the new single-family homes located on the private roadway.

The closest fire station to the site is the White Plains Fire Department Station at 633 North Street, at the corner of Ridgeway. The distance to the German School campus via Partridge Road is 0.2 miles, with response time of just a few minutes. Although there is no existing School driveway at Dreier Lane, emergency vehicles called from the south are also able to access the site from North Street south to Allan Drive to the Dreier Lane School frontage.

Emergency access to the School will be improved with the proposed project because an additional emergency access will be provided to the School campus from North Street via the proposed roadway.

The maximum increase in student enrollment by 125 students over 5 years at the rate of 25 additional students per year within the same School building is not anticipated to have any significant adverse impact on police, fire protection, and emergency services. Although the student enrollment is to increase by 33%, increases in service calls are not anticipated to increase by this much because there is no increase in the size of the School building, and therefore there is for instance no greater likelihood of a fire than under existing conditions. There may be some additional calls for police and emergency services due to the increased School population.

Currently the School has installed security cameras with low light capacity to monitor and record the current parking lot, the access drive and the School building perimeter. The cameras can be accessed remotely and could also be accessed by the police if the need arose. The camera system would also be installed in the new parking lot. In addition, the School affords the City Police complete access to its property for regular patrols.

The School has a contract with a security contractor (currently Sonitrol Security). They monitor the School building and Roger Place house for the Head of School on a 24/7 basis, and will continue to do so.

Police currently patrol the School grounds and neighborhood and will continue to do so. No change is anticipated to these patrols.

Likewise, with no change to the building infrastructure on the School campus at 50 Partridge Road, no need for additional staff or equipment is anticipated for fire service. The four proposed homes are anticipated to generate very little additional demand for such services.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action will not generate any significant increase in the need for and will not result in any potential significant adverse impact to the municipal police, fire and emergency services.

SCHOOLS

There would be no changes to the City School District in the future without the proposed project, because a number of School District students that might otherwise leave the City Schools to attend the German School in the future should the cap increase be permitted, would not be able to do so.

Because the School plans to own the four proposed residential lots and rent them to parents of students and to staff, no school-age children in these residences will attend the White Plains City School District. Therefore, as stated above, one benefit to the public school district is that the German School will be paying a total of \$70,786 in public school taxes but has no children using the public school system.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action will have no potential significant adverse impacts to the White Plains schools.

OPEN SPACE

The City of White Plains Open Space Inventory identifies and lists properties with land area of 3 or more acres so that they may be considered regarding open space preservation.

The German School Property at 50 Partridge Road is listed on the Open Space Inventory. The Proposed Action does not involve any new construction or changes to the existing site layout or conditions.

The Open Space Inventory also lists the subject property at 800 North Street with 4.4 acres of land area, but does not offer specific recommendations.

Other City policy documents offer a context for open space preservation in this area. The White Plains Comprehensive Plan updated 2006 is intended to serve as a guide for the implementation of public policy goals and objectives of the City for recreational, cultural, and environmental and leisure facilities and programs. The Comprehensive Plan identifies this site at 800 North Street and the adjacent properties along North Street for a single-family residential use. The proposed 4-lot subdivision for single-family residences conforms to this land use recommendation.

As discussed above, the Comprehensive Plan does offer recommendations for the North Street Corridor:

- *Take measures to preserve the stone walls, mature trees and other natural features along North Street, particularly south of Ridgeway.*
- *Establish open space corridor setbacks and standards along North Street to protect the existing character of the street, including the stone walls and natural vegetation.*
- *Develop open space linkages between public and private open spaces and community facilities along the corridor - including the golf courses, New York Hospital and the High School - and develop connecting linkages along Bryant Avenue to the Mamaroneck Avenue corridor. (For options on New York Hospital, see Major Properties: New York Hospital.)*

The Proposed Action does address and incorporate these policy recommendations as either design elements or conditions of approval. The existing stone wall along the frontage of 800 North Street will be preserved, relocated and maintained. The houses on the two proposed lots that face North Street will be set back approximately 80 to 100 feet from the paved roadway. This deep setback which is to be landscaped with a row of trees, conforms to the intended goal to establish open space corridor setbacks and protect the existing character of the street.

The Comprehensive Plan offers another recommendation that encourages the creation of pedestrian open space linkages to a City railway system. The German School campus is shown on City of White Plains "Existing and Potential Open Space Linkages and Trailways" map within the broad, north - south corridor situated between North Street and Westchester Avenue for possible development of a recreational trailway connecting other open space properties. In this regard, the Applicant will work together with the City to create a pedestrian open space linkage to the City's railway system that would protect the School while providing an enhancement to the neighborhood which has limited sidewalk connectivity, subject to insurance and liability considerations and non-interference with the School's operation.

The other relevant City policy document is the White Plains Recreation and Parks Master Plan completed in 2001. This plan does not identify or offer any recommendations for this property.

There are no other stated needs, recommendations or current proposals by the City of White Plains for any municipal action regarding open space preservation related to this site.

The Proposed Action which incorporates features to establish open space setbacks and protect the existing character of the North Street will have no potential significant adverse impacts to open spaces in White Plains.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action, which incorporates features to establish open space setbacks and linkages and protect the existing character of the North Street, will not have any potential significant adverse impacts to open space in White Plains.

K DESCRIPTION OF THE PROJECT ALTERNATIVES

Several alternatives were examined in the DEIS and FEIS.

1. No-Build Alternative With No Cap Increase Permitted: a. With Development Of Up To Eight Houses At 800 North Street, and b. Without Residential Development of 800 North Street

Neither of these alternatives would permit the Applicant to increase the enrollment cap from 375 to up to 500 over a five-year period. Thus, the School would not have additional flexibility in accepting more students that apply in the Spring, when there is generally an existing student population of 370-375, because some of their families will not learn whether they must return to Europe until later in the Summer and thus they take up a reserved spot that might otherwise be able to be utilized by a student whose family is staying in the United States. Also, the German School would not be able to reinstate its nursery school program, which was eliminated in the 1990's as a result of the 375 student enrollment cap. The School's German and State Charters provide for a nursery school program. The nursery school is crucial for the School's working families, particularly those whose other children are already attending the School.

a. No-Build Alternative With No Cap Increase Permitted: a. With Development Of Up To Eight Houses At 800 North Street,

The development of 8 single family homes at 800 North Street via a private road (Figure V.1 "8 Lot Subdivision Alternative Figure"), with no student cap increase, and no North Street school parking lot, would result in an additional 12 vehicular trips (6 north/6 south) from the homes during the Weekday Peak AM School Hour, 8 additional trips (4 north/4 south) during the Weekday Peak Midday Hour and an additional 12 trips (6 north/6 south) during the Weekday Peak PM Highway Hour. Given that the No-Build traffic volume along North Street during the same hours are 1238, 962, and 1323 vehicles, respectively, the minimal increase in overall traffic volumes and Levels of Service would be essentially the same as the No-Build Condition without the homes.

The School would not be able to provide the proposed 38-space gated parking lot and drop-off/pick-up area at the end of the proposed cul-de-sac.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that Alternative 1a would comply with zoning regulations for the development with up to eight houses at 800 North Street, but would not achieve the objective of the school to increase the student enrollment cap.

b. No-Build Alternative With No Cap Increase Permitted: b. Without Residential Development of 800 North Street

Under the no residential development scenario there would be no proposed construction and associated proposed mitigation, and the vacant 800 North Street property would remain, with no removal of trees but with no additional landscaping. The German School would not be able to own new homes adjacent and with access to the School and rent them to parents of students and to staff.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that Alternative 1b would involve no proposed construction, but would not achieve the objective of the school to increase the student enrollment cap.

2. No-Build Alternative With Cap Increase: a. With Development of Up To Eight Houses at 800 North Street; and b. Without Residential Development of 800 North Street.

a. No-Build Alternative With Cap Increase: a. With Development of Up To Eight Houses at 800 North Street.

This Alternative would result in up to 125 additional students for a total School population of 500 students, along with the development of 8 single family homes at 800 North Street

Under this scenario, however, the impact of the traffic from the cap increase would be greater than under the Proposed Action because there would be no mitigation resulting from the construction of the proposed improvements. This includes no construction of the proposed 38-space gated parking lot and drop-off/pick-up area at the end of the proposed 800 North Street access and cul-de-sac which would be used for parental drop-offs/pick-ups and student/visitor parking during school hours, and as event parking after school hours. The existing driveway from Partridge Road will thus continue to be used by all vehicular traffic because the proposed access to North Street and new parking area to be used for student drivers (with permits), student drop-off/pick-up and visitors would not be constructed. Traffic patterns would remain the same as under the existing conditions but volumes would be greater because of the lack of the above described mitigation measures. Thus there will be no measurably reduced school traffic at the signalized North Street and Ridgeway intersection as well as along Ridgeway and Partridge Road and in the Haviland Manor neighborhood as a result.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that Alternative 2a would achieve the objective of the school to increase the student enrollment cap. It would have greater associated adverse impacts from development of 8 houses. The impact of the traffic from the cap increase would be significantly greater than under the Proposed Action because there would be no mitigation resulting from the construction of the proposed North Street access.

b. No-Build Alternative With Cap Increase: b. Without Residential Development of 800 North Street.

Under the no residential development scenario there would be no proposed construction of homes on the 800 North Street property, which would remain vacant, with no removal of trees but with no additional landscaping. The German School would not be able to own any new homes adjacent and with access to the School and rent them to parents of students and to staff.

Traffic associated with the 125-student cap increase would not be mitigated with a new parking area to be used for student drivers (with permits), nursery school drop-off and pick-up, and parental PM pickup ~~student drop-off/pick-up and visitors~~ because these improvements would not

be constructed. Traffic patterns would remain the same as under the existing conditions but volumes would be greater because of the lack of the above described mitigation measures. As discussed immediately above, there will be no measurably reduced school traffic at the signalized North Street and Ridgeway intersection as well as along Ridgeway and Partridge Road and in the Haviland Manor neighborhood as a result.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that Alternative 2b would achieve the objective of the school to increase the student enrollment cap. The impact of the traffic from the cap increase would be greater than under the Proposed Action because there would be no mitigation resulting from the construction of the proposed North Street access.

3. Alternative Involving Placement Of A Portion Of Student Body Roughly Equal To The Proposed 125 Student Increase At Another Location Off-Site Or Partial Assignment Of Grade Levels To Another Off-Site Location, Such As Existing Office Parks Contiguous To The German School Site On The East.

At various times in the past 15 plus years, the School has undertaken a search for an alternate space to relocate additional students or various grade levels. At no time was the School been able to locate a site that would have worked for a school.

In commercial spaces there inevitably were technical problems with the compatibility of School's co-existing with commercial activities. No commercial space was ever found that offered any of the specialized requirements comparable with the running of a school such as a playground, laboratory or physical education spaces or athletic fields.

Looking to other facilities such as parochial schools that have closed, none of them were interested in selling their facilities and the School was never able to find one at those times that it would have needed them. Despite ongoing inquiries in the current real estate market, having a satellite site would generate additional problems as discussed in the second following paragraph, below.

An additional source of space was pursued through churches; however it was always uncertain as to when the church's early childhood programs were going to need the spaces back so that there was always uncertainty as to what would be available and for how long. In addition play areas and larger community rooms that would be needed for the German School were also needed by the church programs, typically at the same time.

Common with all three of the above mentioned venues were additional problems that undermined the economic viability of such ventures. Having a satellite site would require:

- Added financial burden of duplicating administrative and maintenance staffing;
- Strain on scheduling teaching staff who would need to commute to both sites;
- Increased traffic as buses and parents would have to make two trips to get siblings back and forth between two campuses;
- Inadequate or complete lack of playground facilities, gyms, laboratories, etc.;
- Additional expense due to rent;
- Any satellite branch that is rented would be compared by the School's stakeholders with the "main" School campus. As such, the School cannot have a divergent standard for the various

sections of the School because it would lose students at that point. In other words, any satellite branch would have to be seen at minimum as a comparable facility to the main campus, and this has been a factor in not finding an appropriate satellite facility.

Having a German School Nursery School by itself at an off-site location would generate the following issues:

- Added financial burden of duplicating administrative and maintenance staffing;
- Increased traffic as parents would have to make two trips to get siblings back and forth between two campuses;
- Additional expense due to rent.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that Alternative 3 would not achieve the objective of the school for a consolidated program. No practicable alternate off-site locations have been identified that would achieve the school's objectives.

4. Four Lot Subdivision With Drop-Off Circle: Enrollment Cap Increase to 500 Students With Development Of four Six Houses At 800 North Street And a Drop Off Circle, and a Reduced Parking Lot (This is similar to the Proposed Action but unlike the Proposed Action would assign student drop-off to this parking lot , not the at 50 Partridge Road.)

The Applicant chose to depict the four (4) residential lots of the Proposed Action for this Alternative rather than six stated in the Scoping document. This voluntary reduction in the number of proposed residential lots by the Applicant thus reduces the potential impacts associated with this Alternative.

This alternative has been superceded by the Proposed Action.

5. Ten Lot Subdivision of 800 North Street With No Connection To The German School with Enrollment Cap Increase

The ten (10) lot subdivision is permitted by zoning and no variances are required. Rather than the distance of 100 feet and 75 feet of the two lots fronting on North Street from the pavement, they could be set back 20 feet from the North Street right-of-way and 45 feet from the edge of pavement, with no 75 foot landscaped buffer.

Also, rather than the 82, 87, and 89 feet distance of the proposed parking area from the rear of the residential properties on Nina Lane and Roger Place, the homes proposed in this alternative could be as close as 30 feet from the respective existing properties. These homes are also permitted to a height of 2.5 stories/30 feet, which would be more intrusive to the existing adjacent homes, rather than the low profile, heavily landscaped proposed parking area which would be gated and used for parental drop-offs/pick-ups and student/visitor parking during school hours, and as limited event parking after school hours. Homes on the other hand are in use throughout the year, 24-hours a day.

This Alternative in terms of traffic is similar to the alternative build condition evaluated with cap increase and no school access to North Street with 8 single family homes (Alternative A).

The additional 6 single family homes above the 4 proposed as part of the Proposed Action would result in an additional 9 trips during the Weekday Peak AM School Hour, 6 additional trips

during the Weekday Peak Midday Hour and an additional 9 trips during the Weekday Peak PM Highway Hour. While not analyzed in detail, these additional trips would be accounted for as part of the background traffic growth. Thus the levels of service would essentially be the same as the above referenced alternative build condition that has been evaluated.

Ten residential lots would generate approximately \$84,021 in additional property taxes above those of the Proposed Action, which would be an approximately 3.5 times increase over the property taxes the School pays under existing conditions.

Other impacts would be similar to those of the Proposed Action.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that Alternative 5 would achieve the objective of the school to increase the student enrollment cap. It would have significantly greater associated impacts from development of 10 houses. The impact of the traffic from the cap increase would be significantly greater than under the Proposed Action because there would be no mitigation resulting from the construction of the North Street access.

L. POTENTIAL IMPACTS FROM CREATION OF A MATERIAL DEMAND FOR OTHER ACTIONS RESULTING FROM ONE OF THE ABOVE CONSEQUENCES

The Proposed Action for the German School is a situation that will not create a demand for similar actions by other institutional special use permits within White Plains. For example, each educational special use permit application is unique in terms of the specific circumstances of the individual application. No two schools are under identical circumstances in terms of their mission, student body, demand for services, location, etc. The German School is a unique institution.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action for the German School will not create a demand for similar actions by other institutional special use permits within White Plains. For example, each educational special use permit application is unique in terms of the specific circumstances of the individual application. No two schools are under identical circumstances in terms of their mission, student body, demand for services, location, etc.

M. POTENTIAL FOR CUMULATIVE IMPACTS RESULTING FROM TWO OR MORE OF THE POTENTIAL IMPACTS LISTED ABOVE

No cumulative impacts are foreseen. Because there is no expansion of the existing school building proposed, and no increase in employment, the impacts from the increase in the number of students by 125 over a 5-year period at minimum will create no cumulative impacts.

The subdivision and creation of four (4) new single-family homes will likewise create no cumulative impacts. The homes are to be occupied by German School as housing for families of students and/or staff. Since housing would otherwise be necessary for these German School as housing for families of students and/or staff, there are no cumulative impacts from the creation of the subdivision.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that no cumulative potential adverse impacts are foreseen.

N. ADVERSE ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

The Proposed Action will result in some unavoidable adverse environmental impacts, mostly temporary and associated with the construction of the proposed four single-family homes and parking lot. Short-term construction impacts include increases in noise levels due to the operation of construction equipment, and the potential for fugitive dust although an erosion and sedimentation control program will be implemented.

The Proposed Project will result in the loss of some trees and vegetation; however, of the significant trees present on the site, 64% will be preserved with the proposed subdivision. The proposed landscaping will integrate the proposed project into its surroundings. Existing established trees have been retained along lot boundaries as much as possible. More trees will be planted than will be removed. A planted buffer has been proposed for lot boundaries. Many of the proposed tree removals consist of deciduous trees that would provide minimal screening for much of the year while shading the proposed evergreens in the landscape buffer. The proposed landscape plan includes indigenous plant species that have been selected to best maintain the rural character of the neighborhood in both the short and long term. Approximately 132 trees and 174 shrubs/perennials are proposed in the Site Landscape Plan help integrate into the existing landscaped character of the neighborhood.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the unavoidable environmental impacts resulting from the Proposed Action have been analyzed in the DEIS, FEIS and Findings Statement and that the Proposed Action includes project design features, project modifications and approval conditions that will mitigate any potential significant adverse impacts.

O. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The subdivision and subsequent construction of four single-family homes and associated private roadway at the 800 North Street property, and construction of the new 38-space parking lot and walkways on the School Campus will result in the irreversible and irretrievable commitment of some resources. The DEIS notes that the most "basic" irretrievable resource, however, is the land that would be dedicated to the Proposed Action

Trees are proposed to be removed, although the design of the subdivided lots is such that the lots will retain their trees within their back yards, and more trees are proposed to be planted than are to be removed.

Construction of the four new homes and related improvements will require building materials, equipment, energy and human resources. During and after construction, and with the increase in the number of German School students from 375 to 500, this action will require consumption of additional utilities such as water and electricity, while fossil usage for the school building will remain fairly consistent with existing usage because no building expansion is proposed. The action will also require limited increases of such services as solid waste disposal, and potentially police and fire protection with the four additional proposed single-family homes.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that, constructing the Proposed Project as described in this Findings Statement will result in the irreversible and irretrievable commitment of some resources. Subject to implementation of all

of the requirements contained in the Findings herein, the Proposed Action would reduce the irreversible and irretrievable commitments of resources by avoiding or mitigating significant adverse impacts.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action will result in some unavoidable environmental effects but that the Proposed Action includes project design features, project modifications and approval conditions that will mitigate potential significant adverse impacts.

P. GROWTH-INDUCING IMPACTS

Potential Impact of Proposed Action on Future Physical Expansion of German School.

The Proposed Action has no impact on any hypothetical physical expansion of the German School. No expansion to school building facilities is proposed or necessary beyond what has been previously approved.

The German School created a Master Plan and 2011 Addendum which describe what the future needs of the school might be in the coming 5 and 10-year periods.

The 2011 Master Plan Addendum and the School's "Space Analysis" report note that the School currently has more than sufficient capacity to absorb any increase in its actual enrollment as a result of an incremental increase in its enrollment cap from 375 students to 500 students over a five-year period.

It should be noted that while the School seeks an enrollment cap increase to allow it to obviate the difficulties inherent in its corporate transfer population in order to accommodate those who want to attend the School each year, it is unknown whether the 500 enrollment cap will ever be reached, with actual student enrollment. Notwithstanding, the School currently has the capacity to accommodate such enrollment.

There is currently an average of only 14 children per class at the School, albeit virtually all of the classrooms can comfortably hold 25-30 students. Thus, the School could easily encompass in its current facilities an increase in enrollment of up to 1/3 over the current enrollment cap of 375 were the increased cap figure of 500 ever reached, without the need for any physical expansion. Allotting 15-25 children to the renewed nursery school, grades K-12 would incur an average increase of only 7-8 students and average class size would increase by only 2-3 students.

Any exterior addition to the School is unnecessary at this time and in the foreseeable future and is highly speculative within 6 to 10 years or thereafter. In any case, any such addition would not be a function of an enrollment increase, which the current building can accommodate, but of currently unknown changing educational needs.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action and the increase in the student cap from 375 to 500 over a 5 year period will have no impact on any physical expansion of the German School. No expansion to school building facilities is proposed or necessary beyond what has been previously approved.

Q. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

The Proposed Action will not result in a major change in type or quantity of energy used. The type and quantity of energy demand for the building is not significant in the context of the surrounding residential community, the existing school building and operations.

Fossil fuels will be consumed by the construction equipment used during the construction of the proposed roadway, School parking lot, and four (4) single-family homes and related infrastructure.

The increase in the number of German School students from 375 to 500 will require consumption of additional utilities such as water, while electric and fossil fuel usage for the school building will remain fairly consistent with existing usage because no building expansion is proposed. The School utilizes timed thermostats to reduce heating of the building during night time, weekends, and holidays. Certain areas contain motion sensors that shut down the lights when the spaces are not being occupied. The School also has 50 kilowatt solar panels, which supply a portion of the electrical needs of the School. Lighting ballasts have been changed throughout the School to more energy efficient models. The School maintains an extensive recycling program. Windows throughout the School have been replaced with thermopane windows having a higher insulation factor. Insulation has been added to all soffits on the School building.

The School's "School Rules and Regulations" require that at the end of the school day, all lights and the air-conditioner will be turned off, windows closed, and all rooms will be locked.

The proposed single-family homes will be constructed to current energy-efficient building code standards, and be constructed to meet the energy efficiency and sustainability standards of the City Construction Code.

FINDING: Based on its review of the Environmental Record, the Lead Agency finds that the Proposed Action will not result in a major change in type or quantity of energy used. The type and quantity of energy demand for the parking lot and four residences is not significant in the context of the surrounding residential community, the existing school building and operations.

The increase in the number of German School students from 375 to 500 will require consumption of additional utilities such as water, while electric and fossil fuel usage for the school building will remain fairly consistent with existing usage because no building expansion is proposed. The School utilizes energy efficient equipment and operational procedures. The proposed single-family homes will be constructed to current energy-efficient building code standards, and sustainability standards of the City's Construction Management Protocol.

PART IV. CERTIFICATION OF FINDINGS

WHEREAS, having considered the Environmental Review Record, and having considered the preceding written facts and conclusions in this Statement of Findings developed with respect to the Proposed Action, the Planning Board, as the Lead Agency, has:

1. Considered the relevant environmental impacts, facts and conclusions disclosed in the DEIS, the FEIS and these Findings Statement; and
2. Weighed and balanced relevant environmental impacts with social, economic and other considerations; and

3. Provided a rationale for the Planning Board's findings and decision; now, therefore, be it

RESOLVED, that the Planning Board hereby certifies that it has complied with all the requirements of 6 NYCRR Part 617; and

- A. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Proposed Action, as modified by these Environmental Findings, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts are being avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified herein; and
- B. Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations; and be it further

RESOLVED, that the Planning Board of the City of White Plain adopts this

FINDINGS STATEMENT ISSUED UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, ENVIRONMENTAL CONSERVATION LAW SECTION 8-101. ET SEQ. (SEQR), REGARDING THE APPLICATION SUBMITTED ON BEHALF OF THE GERMAN SCHOOL OF NEW YORK AT 50 PARTRIDGE ROAD, (THE "APPLICANT") IN RELATION TO AN AMENDMENT TO THE CURRENT SPECIAL PERMIT FOR A PRIVATE ELEMENTARY AND SECONDARY SCHOOL AT 50 PARTRIDGE ROAD, APPROVAL OF A 5-LOT SUBDIVISION FOR THE PROPERTY LOCATED AT 800 NORTH STREET AND RELATED SITE PLAN APPROVALS

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Dated: June 10, 2013

Adopted: June 18, 2013